

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

VB Assets, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 24-cv-1368-MN
)	
Apple, Inc.,)	
)	JURY TRIAL DEMANDED
Defendants.)	

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff VB Assets, LLC (“Plaintiff” or “VoiceBox”) brings this Complaint against defendant Apple Inc. (“Defendant” or “Apple”) and alleges, on personal knowledge as to its own actions and on information and belief as to the actions of others, as follows:

NATURE OF THE ACTION

1. VoiceBox, through its predecessor companies VoiceBox Technologies Corporation and VoiceBox Technologies, Inc. (collectively “VoiceBox Technologies”), pioneered voice-based natural language understanding and artificial intelligence technology. In recognition of their many innovations, the U.S. Patent & Trademark Office awarded and issued the VoiceBox Patents, which include United States Patent Nos. 8,073,681 (“the ’681 patent”); 8,515,765 (“the ’765 patent”); 10,297,249 (“the ’249 patent”); 10,510,341 (“the ’341 patent”); 7,818,176 (“the ’176 patent”); 8,886,536 (“the ’536 Patent”); and 9,269,097 (“the ’097 patent”). The innovations in the VoiceBox Patents are fundamental to the development of voice assistants.

2. Apple began offering its infringing Siri Products¹ in or around 2011. But Apple, on information and belief, felt “naked” in its patent protection for the core technology powering Siri. On information and belief, Apple recognized the importance of the VoiceBox Patents by making multiple offers to buy or license the VoiceBox Patents and knew that the core technology powering Siri infringed the VoiceBox Patents. But Apple never ultimately secured rights to the patents-in-suit and instead decided to continue to use the patents-in-suit without the right to do so, thereby willfully infringing the patent-in-suit.

3. VoiceBox has brought this case to hold Apple accountable for its willful infringement of VoiceBox’s patent rights. VoiceBox seeks all available relief under the patent

¹ “Siri Products” collectively refers to Apple’s Siri voice assistant and Apple Intelligence Siri enhancements, as well as offerings that include Siri, including at least: the iOS, iPadOS, watchOS, macOS, tvOS, audioOS, and visionOS operating systems; the iPhone 4s and later iPhone models; 4th generation iPad and later models; the AirPods 2, 3, and 4 (both models), all generations of AirPods Pro, and AirPods Max; Beats headphones with the H1 chip or later; Macs with an M1 or later processor; all Apple Watch products; HomePod (1st gen and 2d gen), HomePod Mini; Apple TV 4K (1st generation and later), Apple TV HD, and the Siri Remote; Apple CarPlay on all iPhone models that are compatible with iOS 18 or later; Apple Vision Pro; as well as the cloud infrastructure that implements Siri.

laws of the United States, 35 U.S.C. § 100 et. Seq., including monetary damages for Apple's infringement, enhanced damages for willful infringement, and VoiceBox's attorneys' fees.

THE PARTIES

4. VB Assets, LLC is a limited liability company organized under the laws of Delaware and has its principal place of business at 1229A 120th Avenue NE, Bellevue, WA 98005. VB Assets, LLC is the owner of the entire right, title, and interest of the VoiceBox Patents, including the right to sue for and collect past, present, and future damages and to seek and obtain injunctive or any other relief for infringement.

5. On information and belief, Apple Inc. is a corporation incorporated under the laws of California and has its principal place of business at One Apple Park Way, Cupertino, CA 95014. On information and belief, Apple Inc. is responsible for making, using, offering for sale, and/or importing Siri Products. Apple is a publicly traded company that may be served through its registered agent for service, The Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801.

JURISDICTION AND VENUE

6. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. §§ 100, et seq., including 35 U.S.C. § 271.

7. This Court has original jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a) because the action arises under the patent laws of the United States.

8. This Court has general and specific personal jurisdiction over Apple based on one or more of the following: Apple is present in this judicial district; Apple has availed itself of the rights and benefits of the laws of Delaware; and Apple has derived substantial revenue from Siri Products in Delaware, and Apple has systematic and continuous business contacts with Delaware.

Further, Apple designs Siri Products, which are advertised, offered for sale, sold, and used in Delaware.

9. Apple has employees and operates a retail store at 125 Christiana Mall, Newark, DE 19702.² Apple's retail store at 125 Christiana Mall offers for sale and sells products and services that infringe the VoiceBox Patents.

10. In addition, Apple, directly and through subsidiaries and intermediaries (including distributors, retailers, franchisees, and others), has regularly committed and continues to commit acts of patent infringement in this District, by, among other things, making, using, offering for sale, selling, and/or importing Siri Products.³

11. Venue is proper in this district under 28 U.S.C. § 1400(b) and 28 U.S.C. § 1391(b)(2). For purposes of § 1400(b), Apple has committed acts of infringement and has a regular and established place of business in Delaware. For purposes of § 1391(b)(2), Apple has committed substantial infringement of the VoiceBox Patents in Delaware.

BACKGROUND

A. VoiceBox Technologies Invents Groundbreaking Voice Technology

12. In 2001, three brothers—Mike, Rich, and Bob Kennewick—founded VoiceBox Technologies to bring voice-based natural language understanding (“NLU”) to a wide array of computer applications. They recognized that the typical computer speech-recognition systems forced human operators to adhere to a limited number of rigid speech prompts. These rigid prompts limited how systems were used and inhibited the widespread adoption of speech-

² <https://www.apple.com/retail/christianamall/>;
<https://www.christianamall.com/en/directory/apple-8718.html>.

³ <https://locate.apple.com/sales/> (enter Wilmington, DE as the location, select a product, e.g. iPhone, and click “Go” to find “99 iPhone sales locations near Wilmington, DE.”)

recognition systems. The brothers believed that VoiceBox Technologies could become the first company to enable people to naturally and effectively interact with computer speech systems.

13. From its inception, VoiceBox Technologies engaged in intense research efforts to develop its NLU technology. As part of these efforts, VoiceBox Technologies achieved a significant milestone when it developed an early prototype called “Cybermind.” As demonstrated on the King5 news, Cybermind was a voice-controlled speaker that could provide weather, recipes, sports scores, calendar updates, or play a song.⁴



Figure 1: Cybermind Prototype

14. VoiceBox Technologies’ groundbreaking work did not go unrecognized. After learning about VoiceBox Technologies’ technology, Toyota hired it to build a sophisticated NLU speech interface for its Lexus automobiles. VoiceBox Technologies built the voice and NLU capability for Toyota’s award-winning Entune multimedia system.

15. As part of the development effort of an NLU interface for Lexus, VoiceBox Technologies demonstrated a personal assistant called “Alexus” that showcased the power of its Conversational Voice technology.

⁴ <https://www.youtube.com/watch?v=DDcRyPnvWhw>.



Figure 2: Lexus Demonstration

16. Throughout its research and development efforts, VoiceBox Technologies realized that its technology could be deployed in a wide range of applications from connected home to mobile personal assistants.



Figure 3: Connected Home



Figure 4: Mobile

17. By January 2012, VoiceBox Technologies was a leader in NLU and conversational voice technology. Leading companies throughout the world, including Toyota, Lexus, TomTom, Pioneer, Chrysler, Dodge, and Magellan used VoiceBox Technologies' award-winning and patented contextual speech technology. VoiceBox Technologies had software applications that

ran on smart speakers, in-car systems, smartphones, smart TVs, computers, tablets, e-readers, and personal navigation devices.

18. In 2013, the Institute of Electrical and Electronics Engineers (IEEE) ranked VoiceBox Technologies number 13 in patent power for the computer software industry.⁵ VoiceBox Technologies had become a leader in conversational Artificial Intelligence (“AI”), including Voice Recognition, NLU, and AI services.⁶

19. As illustrated in the following company photograph, VoiceBox Technologies had invested in a large team of engineers, scientists, linguists, and other personnel—and was, at that time, optimistic about its technology and its future.



B. Apple Willfully Infringes the VoiceBox Patents

20. Apple released its first Siri Products in or around October 2011. But, on information and belief, despite releasing these products, Apple felt “naked” as to its patent protection in the NLU field around this time. In the years that followed, Apple tried to buy or license the VoiceBox Patents: beginning in or around July 2012 and continuing into or until around September of 2014, Apple made numerous—and increasing—eight-figure offers to buy or license

⁵ See <https://web.archive.org/web/20210925234339/https://spectrum.ieee.org/patent-power-2013>.

⁶ See <https://www.databricks.com/company/newsroom/press-releases/voicebox-accelerates-voice-recognition-innovations-with-databricks-unified-analytics-platform>.

a collection of patents that included the VoiceBox Patents. Upon information and belief, before or during the negotiations to buy or license the VoiceBox Patents spanning approximately two years, Apple conducted due diligence of those patents and its Siri Products to determine whether the patents cover the Siri technology. Consequently, Apple continued its negotiations to buy or license the VoiceBox Patents following its due diligence.

21. In or around March 2012, Apple hired a patent broker to contact VoiceBox Technologies and make a seven-figure offer to buy patents. Not long after that, in July 2012, Apple's broker increased the offer to eight-figures. VoiceBox Technologies was reluctant to include the VoiceBox Patents in the sale because of how valuable they were and are. On information and belief, Apple considered the VoiceBox Patents to be important deal drivers justifying the eight-figure price due at least in part to its due diligence and recognition that the Siri technology infringed the patents. Nevertheless, on information and belief, Apple decided in August 2012 not to move forward with a deal because Apple believed the negotiations were not progressing quickly enough, despite recognizing the Siri technology infringed the patents.

22. But just the next month, in September 2012, on information and belief, Apple instructed its patent broker to revive discussions with VoiceBox Technologies due to the infringing Siri technology. Around this time, VoiceBox Technologies had received an offer from another prominent technology company to buy the VoiceBox Patents.

23. Apple continued to express interest through June 2013. Around this time, Apple began evaluating a business partnership with VoiceBox Technologies, and Apple had its mergers and acquisitions team (M&A Team) involved. The business partnership would have included a license to the VoiceBox Patents. On information and belief, Apple's M&A Team also conducted due diligence of the VoiceBox Patents in view of the Siri technology.

24. The very next month, July 2013, Apple began dealing with VoiceBox Technologies directly, instead of through Apple's broker. On information and belief, Apple wanted VoiceBox Technologies to meet the Siri team at Apple. At least as of this time, VoiceBox Technologies recognized how crucial the VoiceBox Patents were to Apple and other companies that wanted to compete in the voice assistant space. For example, by August 2013, VoiceBox Technologies promoted its "unique patent portfolio that can both improve Siri's defensive and offensive position as speech becomes i) more contextual, ii) as application domains such as navigation become more comprehensive in terms of the use of NL speech and [iii)] as voice-commerce becomes a common feature of Personal Assistants." Upon information and belief, Apple continued negotiating to buy or license the VoiceBox Patents because it recognized how crucial the VoiceBox Patents were to the Siri technology.

25. By September of 2013, after Apple had expressed interest in a potential acquisition, VoiceBox Technologies offered its mobile business to Apple for \$200 million. In response, Apple offered high eight-figures for the company, but VoiceBox Technologies did not believe this was a fair price. Instead of an outright acquisition, VoiceBox Technologies asked Apple to increase its offer for the VoiceBox Patents.

26. By September of 2014, Apple did increase its offer and even sent a signed patent purchase agreement to VoiceBox Technologies. But the offer still did not adequately capture the value of the VoiceBox Patents. Therefore VoiceBox Technologies retained the VoiceBox Patents while Apple, on information and belief, decided to keep selling its infringing Siri Products without securing the right to use the VoiceBox Patents.

C. The VoiceBox Patents

27. The inventions contained in the VoiceBox Patents in this case relate to groundbreaking improvements to voice recognition and NLU and have particular application in consumer electronics such as smart phones, tablets, and other smart devices.

28. The '681 patent, entitled "SYSTEM AND METHOD FOR A COOPERATIVE CONVERSATIONAL VOICE USER INTERFACE," was duly and legally issued on December 6, 2011, and names Larry Baldwin, Tom Freeman, Michael Tjalve, Blane Ebersold, and Chris Weider as the inventors. A true and correct copy of the '681 patent is attached hereto as **Exhibit A**.

29. The '681 patent claims, among other things, a system for providing a cooperative conversational voice user interface, comprising: a voice input device configured to receive an utterance during a current conversation with a user, wherein the utterance includes one or more words that have different meanings in different contexts; and a conversational speech engine, wherein the conversational speech engine includes one or more processors configured to: accumulate short-term shared knowledge about the current conversation, wherein the short-term shared knowledge includes knowledge about the utterance received during the current conversation; accumulate long-term shared knowledge about the user, wherein the long-term shared knowledge includes knowledge about one or more past conversations with the user; identify a context associated with the utterance from the short-term shared knowledge and the long-term shared knowledge; establish an intended meaning for the utterance within the identified context to disambiguate an intent that the user had in speaking the one or more words that have the different meanings in the different contexts; and generate a grammatically or syntactically adapted response

to the utterance based on the intended meaning established within the identified context (claim 25).

30. VoiceBox is the assignee of the entire right, title, and interest in the '681 patent, including the right to sue for and collect past, present, and future damages and to seek and obtain injunctive or any other relief for infringement.

31. The '765 patent, entitled "SYSTEM AND METHOD FOR A COOPERATIVE CONVERSATIONAL VOICE USER INTERFACE," was duly and legally issued on August 20, 2013, and names Larry Baldwin, Tom Freeman, Michael Tjalve, Blane Ebersold, and Chris Weider as the inventors. A true and correct copy of the '765 patent is attached hereto as **Exhibit B**.

32. The '765 patent claims, among other things, a system for providing a voice interface, comprising: a speech engine configured to receive a natural language utterance from a voice-enabled device, the natural language utterance corresponding to a conversation type, wherein the speech engine includes a processor configured to: determine the conversation type corresponding to the natural language utterance based on whether a user that spoke the natural language utterance has a leader role in an interaction with the voice-enabled device or has a supporter role in the interaction with the voice enabled device; a response builder configured to generate a response to the natural language utterance with a format based on the conversation type, wherein the format is adapted to limit the user's future input to interjecting queries or requests for clarification if the user has the supporter role (claim 10).

33. VoiceBox is the assignee of the entire right, title, and interest in the '765 patent. including the right to sue for and collect past, present, and future damages and to seek and obtain injunctive or any other relief for infringement.

34. The '249 patent, entitled "SYSTEM AND METHOD FOR A COOPERATIVE CONVERSATIONAL VOICE USER INTERFACE," was duly and legally issued on May 21, 2019, and names Larry Baldwin, Tom Freeman, Michael Tjalve, Blane Ebersold, and Chris Weider as the inventors. A true and correct copy of the '765 patent is attached hereto as **Exhibit C**.

35. The '249 patent claims, among other things, a computer-implemented method of facilitating natural language system responses using short-term knowledge generated based on one or more prior multi-modal device interactions, the method being implemented by a computer system that includes one or more physical processors executing one or more computer program instructions which, when executed, perform the method, the method comprising: receiving, by the computer system during a first conversation, a first voice input via a first input device, the first voice input comprising a first natural language utterance; receiving, by the computer system, a second voice input comprising the first natural language utterance via a second input device; comparing, by the computer system, the first voice input with the second voice input; filtering, by the computer system, sound from the first voice input and the second voice input based on the comparison; obtaining, by the computer system during the first conversation, a user interface state related to one or more non-voice inputs associated with the first voice input, the one or more non-voice inputs comprising at least a first non-voice input; generating, by the computer system, the short-term knowledge based on at least the first voice input and the first non-voice input; determining, by the computer system, based on the short-term knowledge, a first context for the first natural language utterance; determining, by the computer system, based on the first context, an interpretation of the first natural language utterance; and generating, by the computer system, based on the interpretation of the first natural language utterance, a first response to the first natural language utterance (claim 1).

36. VoiceBox is the assignee of the entire right, title, and interest in the '249 patent, including the right to sue for and collect past, present, and future damages and to seek and obtain injunctive or any other relief for infringement.

37. The '341 patent, entitled "SYSTEM AND METHOD FOR A COOPERATIVE CONVERSATIONAL VOICE USER INTERFACE," was duly and legally issued on December 17, 2019, and names Larry Baldwin, Tom Freeman, Michael Tjalve, Blane Ebersold, and Chris Weider as the inventors. A true and correct copy of the '341 patent is attached hereto as **Exhibit D**.

38. The '341 patent claims, among other things, a system for facilitating natural language system responses utilizing accumulated short-term and long-term knowledge, the system comprising: one or more physical processors programmed with one or more computer program instructions which, when executed, configure the one or more physical processors to: accumulate short-term knowledge based on one or more natural language utterances received during a predetermined time period; expire one or more items of short-term knowledge that are based on one or more natural language utterances received prior to the predetermined time period; accumulate long-term knowledge based on one or more natural language utterances received prior to the predetermined time period, wherein the long-term knowledge includes at least one of the one or more expired items of short-term knowledge; receive a first natural language utterance via an input device; determine a first context for the first natural language utterance based on the short-term knowledge and the long-term knowledge; determine an interpretation of the first natural language utterance based on the first context; and generate a first response to the first natural language utterance based on the interpretation (claim 10).

39. VoiceBox is the assignee of the entire right, title, and interest in the '341 patent, including the right to sue for and collect past, present, and future damages and to seek and obtain injunctive or any other relief for infringement.

40. The '176 patent, entitled "SYSTEM AND METHOD FOR SELECTING AND PRESENTING ADVERTISEMENTS BASED ON NATURAL LANGUAGE PROCESSING OF VOICE-BASED INPUT," was duly and legally issued on October 19, 2010, and names Tom Freeman and Mike Kennewick as the inventors. A true and correct copy of the '176 patent is attached hereto as **Exhibit E**.

41. The '176 patent claims, among other things, a system for selecting and presenting advertisements in response to processing natural language utterances, comprising: an input device that receives a natural language utterance containing at least one request at an input device; a speech recognition engine coupled to the input device, wherein the speech recognition engine recognizes one or more words or phrases in the natural language utterance, wherein to recognize the words or phrases in the natural language utterance, the speech recognition engine is configured to: map a stream of phonemes contained in the natural language utterance to one or more syllables that are phonemically represented in an acoustic grammar; and generate a preliminary interpretation for the natural language utterance from the one or more syllables, wherein the preliminary interpretation generated from the one or more syllables includes the recognized words or phrases; a conversational language processor coupled to the speech recognition engine, wherein the conversational language processor is configured to: interpret the recognized words or phrases, wherein interpreting the recognized words or phrases includes establishing a context for the natural language utterance; select an advertisement in the context established for the natural language utterance; and present the selected advertisement via an output device (claim 27).

42. VoiceBox is the assignee of the entire right, title, and interest in the '176 patent, including the right to sue for and collect past, present, and future damages and to seek and obtain injunctive or any other relief for infringement.

43. The '536 patent, entitled "SYSTEM AND METHOD FOR DELIVERING TARGETED ADVERTISEMENTS AND TRACKING ADVERTISEMENT INTERACTIONS IN VOICE RECOGNITION CONTEXTS," was duly and legally issued on November 11, 2014, and names Tom Freeman and Mike Kenn[e]wick⁷ as the inventors. A true and correct copy of the '536 patent is attached hereto as **Exhibit F**.

44. The '536 patent claims, among other things, a system for providing promotional content related to one or more natural language utterances and/or responses, the system comprising: one or more physical processors programmed to execute one or more computer program instructions which, when executed, cause the one or more physical processors to: receive a first natural language utterance; provide a response to the first natural language utterance; receive a second natural language utterance relating to the first natural language utterance; identify requests associated with the second natural language utterance, wherein the requests include a first request associated with a first application and a second request associated with a second application different than the first application; determine promotional content that relates to one or more of the first request or the second request; and present the promotional content to a user (claim 43).

⁷ The '536 patent names "Mike Kennwick" as one of the inventors. *See* Exhibit F at 22. This is a typographical error, as the inventor's name is properly spelled Mike Kennewick.

45. VoiceBox is the assignee of the entire right, title, and interest in the '536 patent, including the right to sue for and collect past, present, and future damages and to seek and obtain injunctive or any other relief for infringement.

46. The '097 patent, entitled "SYSTEM AND METHOD FOR DELIVERING TARGETED ADVERTISEMENTS AND/OR PROVIDING NATURAL LANGUAGE PROCESSING BASED ON ADVERTISEMENTS," was duly and legally issued on February 23, 2016, and names Tom Freeman and Mike Kennewick as the inventors. A true and correct copy of the '097 patent is attached hereto as **Exhibit G**.

47. The '097 patent claims, among other things, a method for providing natural language processing based on advertisements, the method being implemented on a computer system having one or more physical processors executing computer program instructions which, when executed, perform the method, the method comprising: providing, by the computer system, an advertisement associated with a product or service for presentation to a user; receiving, at the computer system, a natural language utterance of the user; and interpreting, by the computer system, the natural language utterance based on the advertisement and, responsive to the existence of a pronoun in the natural language utterance, determining whether the pronoun refers to one or more of the product or service or a provider of the product or service (claim 1).

48. VoiceBox is the assignee of the entire right, title, and interest in the '097 patent, including the right to sue for and collect past, present, and future damages and to seek and obtain injunctive or any other relief for infringement.

COUNT 1: INFRINGEMENT OF THE '681 PATENT

49. VoiceBox realleges and incorporates the allegations of the preceding paragraphs of this complaint as though fully stated herein.

50. Apple, on its own or by conduct attributable to Apple, has and continues to infringe the '681 patent by making, using, selling, offering for sale, and/or importing into the United States, Siri Products, which embody or use the inventions of the '681 patent in violation of 35 U.S.C. § 271(a). Exemplary evidence and an exemplary chart mapping an exemplary claim (claim 25) to Siri Products can be found in **Exhibit H**. VoiceBox anticipates identifying additional asserted claims in accordance with the case schedule and its discovery obligations.

51. On information and belief, Apple knew of the existence of the '681 patent by sometime in or around July 2012 or before. Around this time, the '681 patent had already issued, Apple had been offering Siri Products, and Apple had offered to buy or license the '681 patent and family members from VoiceBox's predecessor VoiceBox Technologies. On information and belief, in or around July 2012, Apple knew that the Siri Products infringe the '681 patent, that Apple directly infringes the '681 patent, and that its actions would induce and contribute to infringement by Siri Products' users. On information and belief, the negotiations between Apple and VoiceBox Technologies included discussions of both the VoiceBox Patents (including the '681 patent) and the Siri Products (including its voice recognition and assistant technology and its users' use thereof). On information and belief, before or during the negotiations to buy or license the VoiceBox Patents (including the '681 patent), Apple conducted due diligence of the VoiceBox Patents and the Siri Products and its users' use thereof and determined that the Siri Products and its users infringe at least the '681 patent. On information and belief, through its due diligence, Apple became very familiar with VoiceBox Technologies and its business and the VoiceBox Patents (including the '681 patent). On information and belief, the Siri technology was Apple's only voice recognition and assistant technology it commercialized at the time of the negotiations. Apple continued its negotiations for the VoiceBox Patents because, on information and belief, its

due diligence revealed that the Siri Products and its users infringe at least the '681 patent. On information and belief, Apple was at least willfully blind to the facts that the Siri Products infringe the '681 patent, that Apple directly infringes the '681 patent, and that its actions would induce and contribute to infringement by Siri Products' users because: (1) Apple subjectively believed that there was a high probability these facts existed because Apple was investigating and analyzing the '681 patent and its family members for purchase or license; and (2) Apple took deliberate action to avoid learning of these facts and discussing them during the negotiations for the VoiceBox Patents. Apple continued to negotiate for the VoiceBox Patents spanning a period of years.

52. Additionally, Apple has actual notice that the Siri Products and its users infringe the '681 patent at least as of the date of the filing of the original Complaint. Since no later than that date, Apple has known or been willfully blind to the facts that the Siri Products and its users infringe the '681 patent, that Apple directly infringes the '681 patent, and that its actions would induce and contribute to infringement by Siri Products' users.

53. Apple has been and is inducing infringement of the '681 patent by actively and knowingly inducing others to make, use, sell, offer for sale, or import Siri Products that include Siri and embody or use the inventions claimed in the '681 patent in violation of 35 U.S.C. § 271(b). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.⁸ Apple also offers SiriKit to its app developer community to design

⁸ *E.g.*, <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>;

applications and third-party products to embody and use Siri in an infringing manner.⁹ Additionally, Apple causes Siri Products to be made available through its own website.¹⁰ Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.¹¹

54. Apple instructs and encourages users of the Siri Products to infringe the '681 patent. For example, Apple instructs and encourages users to operate the Siri Products such that the products receive an utterance at a voice input device using words that have different meanings in different contexts, such as "Siri, how's the weather" and other Siri-based phrases.¹²

<https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁹ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

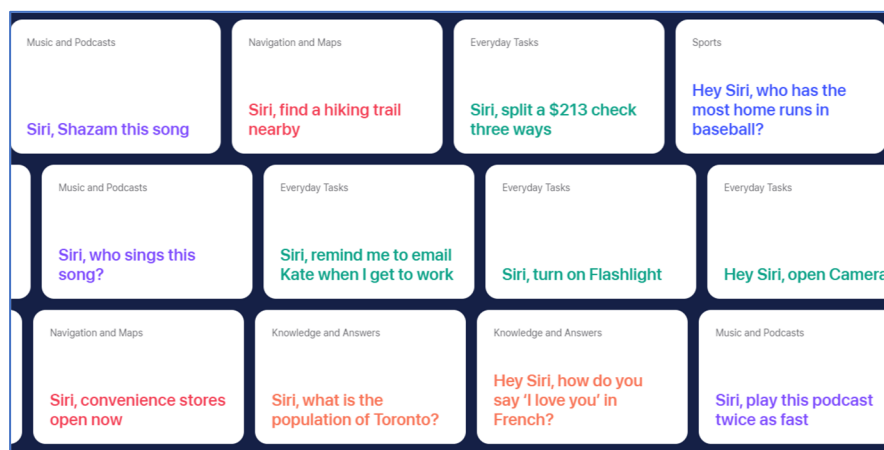
¹⁰ E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

¹¹ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

¹² E.g., <https://www.apple.com/siri/>; <https://developer.apple.com/siri/> ("People control HomePod with their voice to conveniently access iOS and iPadOS apps that support App Shortcuts, SiriKit, Music, Messaging, VoIP calling, Lists, and Notes." and "Siri handles all of the interaction, including the voice and natural language recognition, and works with your extension to get information and handle requests."); <https://www.apple.com/apple-intelligence/> ("Richer language understanding and an enhanced voice make communicating with Siri even more natural. And when you refer to something you mentioned in a previous request, like the location of a calendar event you just created, and ask 'What will the weather be like there?' Siri knows what you're talking about." and "Apple Intelligence empowers Siri with onscreen awareness, so it can understand and take action with things on your screen. If a friend texts you their new

- "Siri, how's the weather?"
- "Hey Siri, send a message."
- "Siri, set a timer for three minutes."
- "Hey Siri, get directions home."
- "Siri, play some music."

[https://machinelearning.apple.com/research/voice-trigger.](https://machinelearning.apple.com/research/voice-trigger)

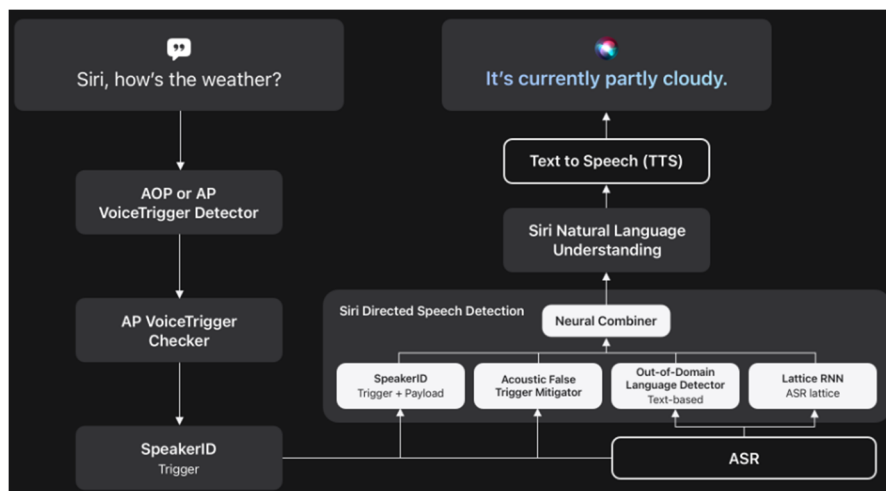


[https://www.apple.com/siri/.](https://www.apple.com/siri/)

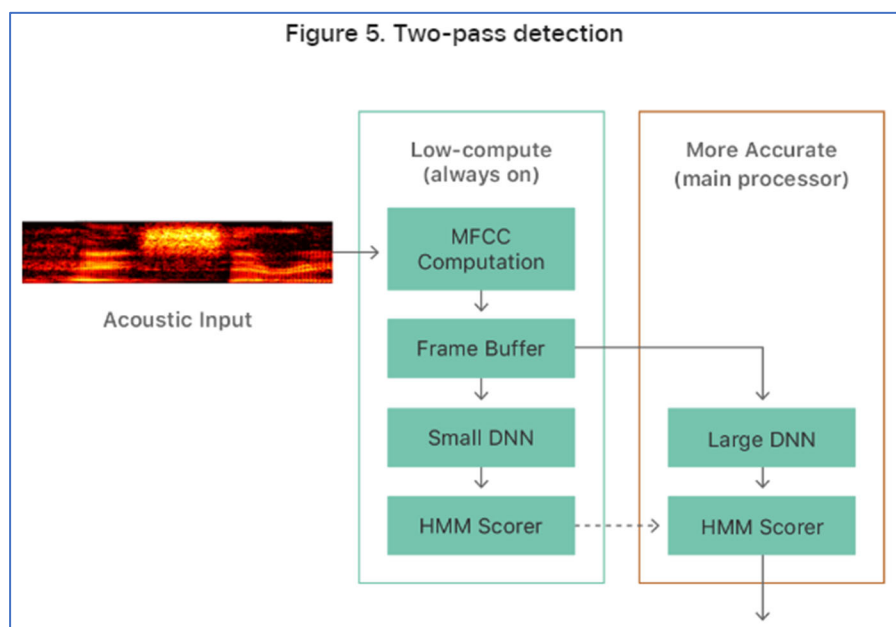
55. After receiving the user's utterance, a conversational speech engine having one or more processors accumulates short-term shared knowledge about the current conversation, including knowledge about the utterance received, such as the user's request for the weather and the type of device that received the utterance.¹³

address, you can say 'Add this address to their contact card,' and Siri will take care of it.");
<https://machinelearning.apple.com/research/hey-siri>;
<https://machinelearning.apple.com/research/voice-trigger>;
<https://machinelearning.apple.com/research/personalized-hey-siri>.

¹³ E.g., <https://machinelearning.apple.com/research/hey-siri>;
<https://machinelearning.apple.com/research/personalized-hey-siri>;
<https://machinelearning.apple.com/research/voice-trigger>;
<https://support.apple.com/guide/iphone/use-siri-iph83aad8922/ios>;



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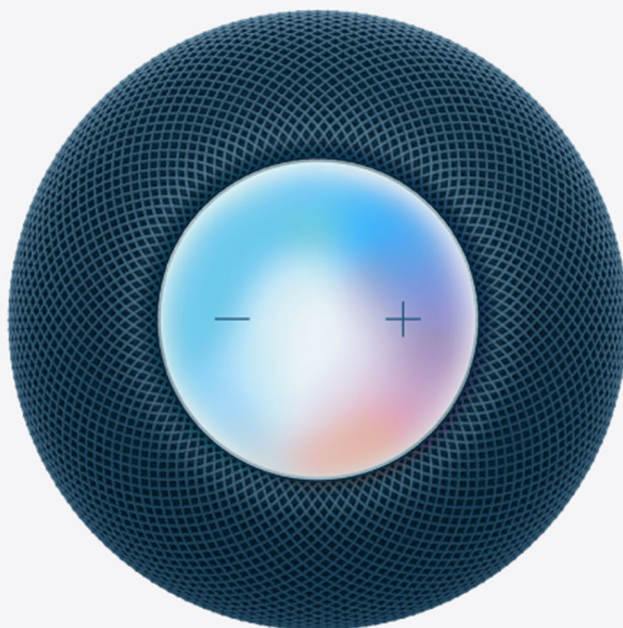


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https://www.youtube.com/watch?v=Q_EYoV1kZWk; <https://www.apple.com/siri/>;
<https://developer.apple.com/siri/>.

HomePod

People control HomePod with their voice to conveniently access iOS and iPadOS apps that support App Shortcuts, SiriKit, Music, Messaging, VoIP calling, Lists, and Notes.



<https://developer.apple.com/siri/>.



SiriKit

Apps adopt SiriKit by building an extension that communicates with Siri, even when your app isn't running. This extension registers with specific domains and intents that it can handle. Siri handles all of the interaction, including the voice and natural language recognition, and works with your extension to get information and handle requests.

[Learn more about SiriKit >](#)

<https://developer.apple.com/siri/>.

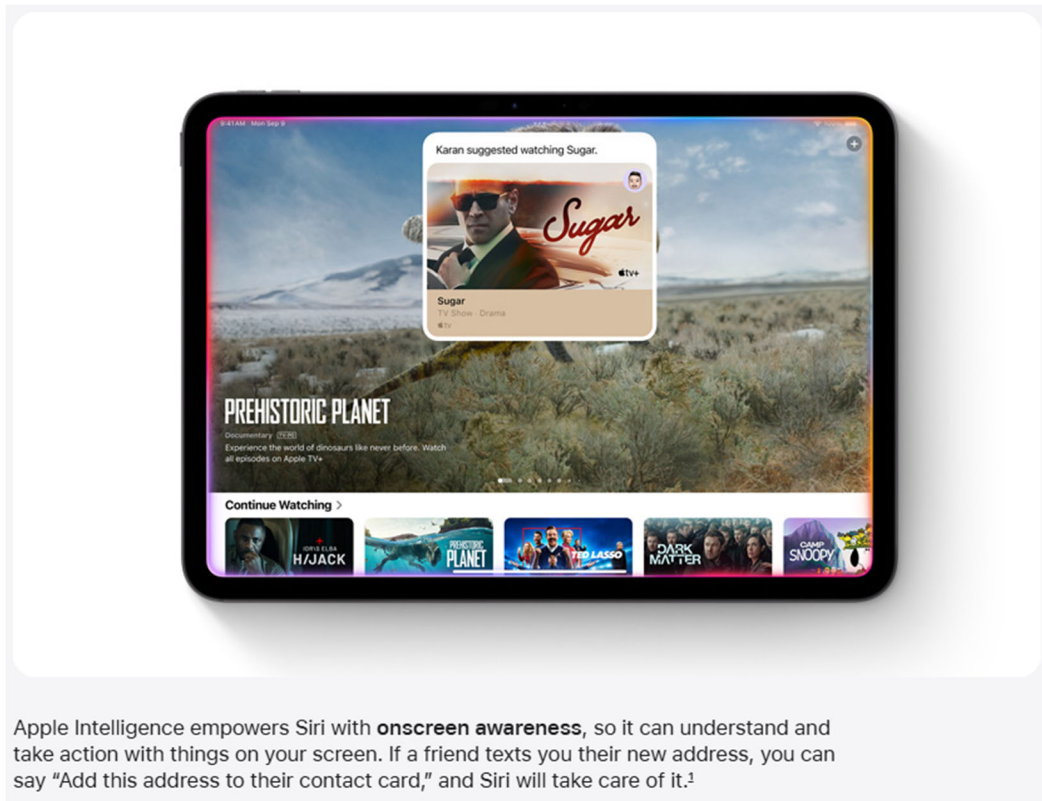
Discover an even more capable,
integrated, personal Siri.



**Siri, set an alarm for — oh
wait no, set a timer for 10
minutes. Actually, make
that 5.**

Richer language understanding and an enhanced voice make communicating with Siri even more natural. And when you refer to something you mentioned in a previous request, like the location of a calendar event you just created, and ask "What will the weather be like there?" Siri knows what you're talking about.

<https://www.apple.com/apple-intelligence/>.



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56. The conversational speech engine further accumulates long-term shared knowledge about the user, including knowledge about past conversations with the user, such as the user's voice to determine who the user is, the user's prior requests for weather, and the location of the weather being sought.¹⁴

¹⁴ E.g., <https://www.youtube.com/watch?v=RXeOiIDNNek&t=3870s>; <https://machinelearning.apple.com/research/personalized-hey-siri>; <https://www.apple.com/siri/>.

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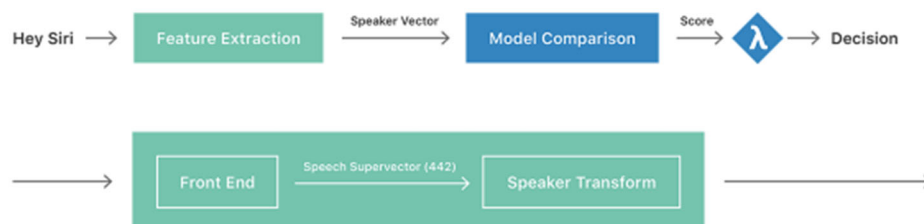


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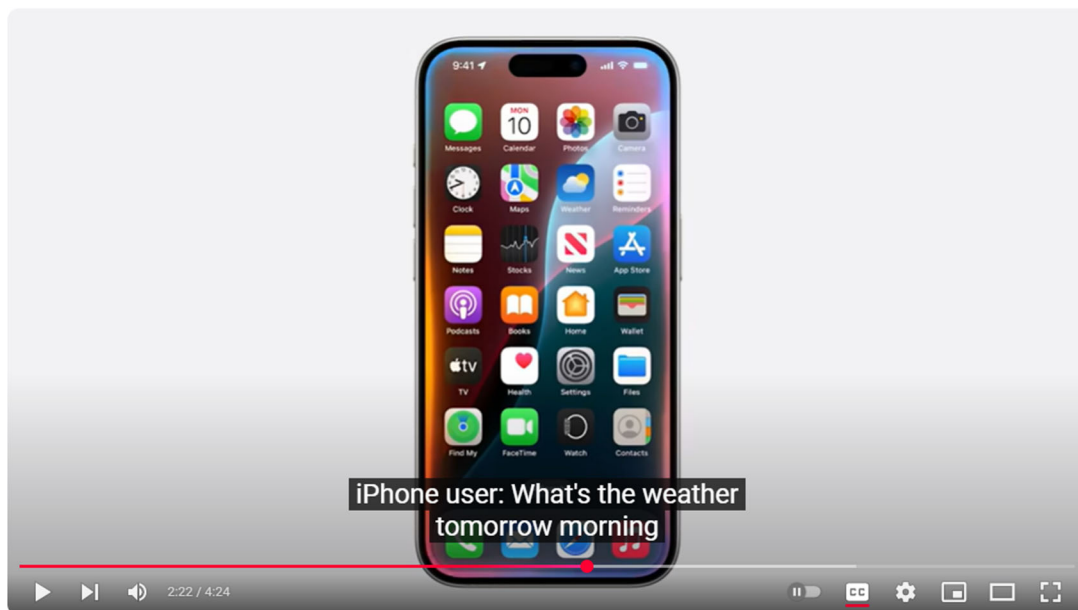
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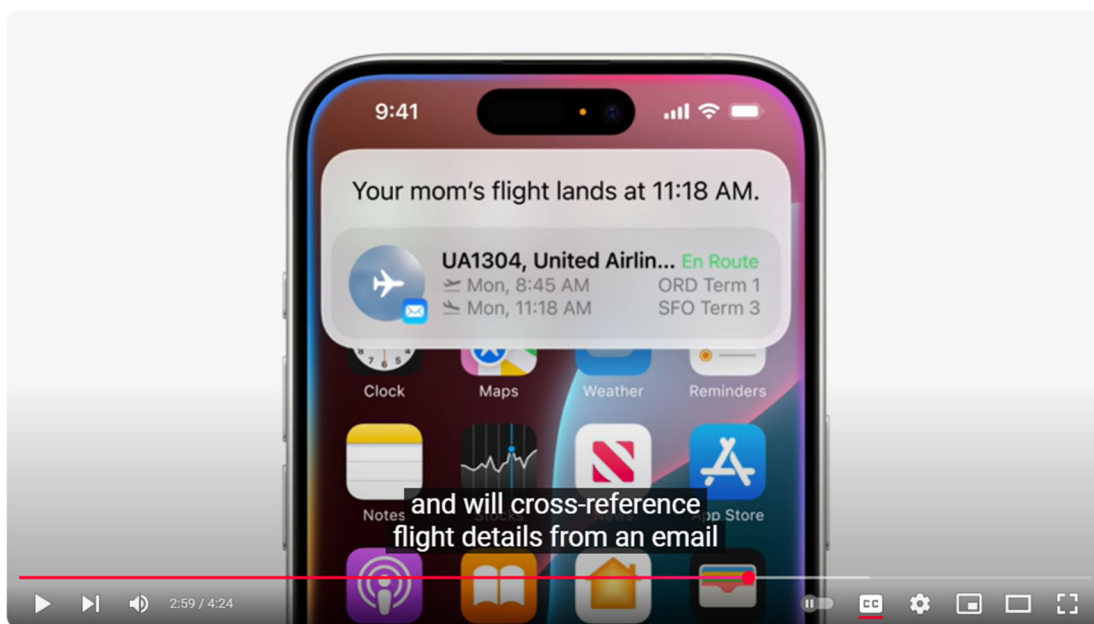
Siri learns what you need. Not who you are. What you ask Siri isn't associated with your Apple Account. The power of the Apple Neural Engine ensures that the audio of your requests never leaves your iPhone, iPad, Apple Watch, or Apple Vision Pro unless you choose to share it. On-device intelligence makes your experience with Siri personal — learning your preferences and what you might want — while maintaining your privacy. And, of course, what you share with Siri is never shared with advertisers.

<https://www.apple.com/siri/>.

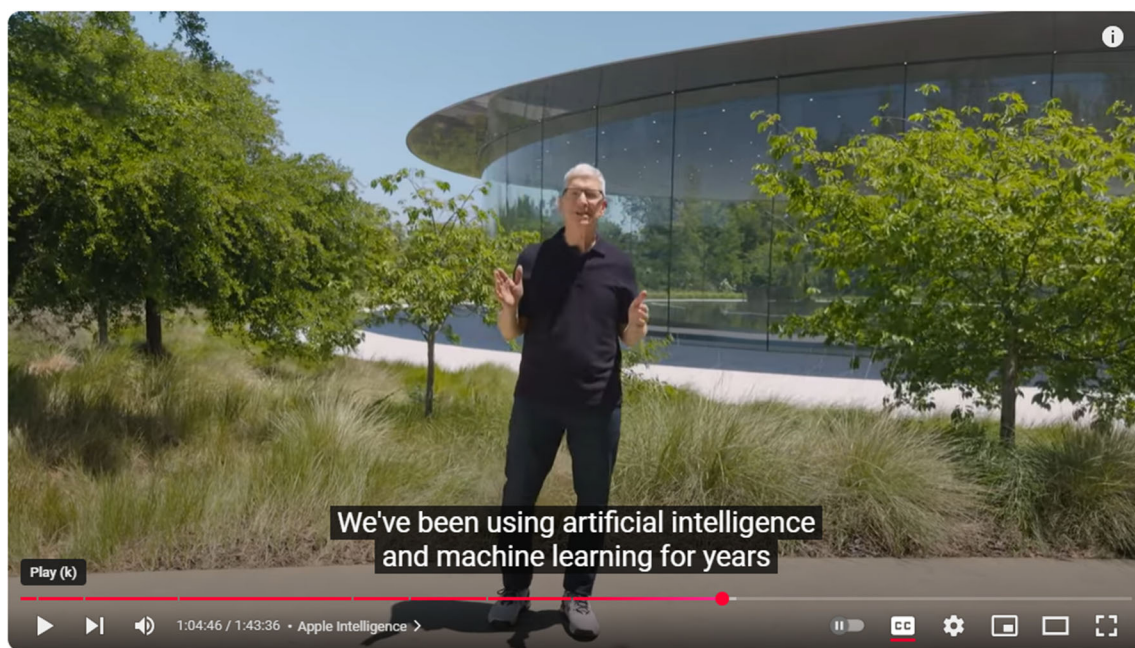
57. The conversational speech engine further identifies a context associated with the utterance from the short-term shared knowledge and the long-term shared knowledge, such as the location related to the user's request, the timing related to the user's request, and who the user is referring to.¹⁵



¹⁵ E.g., https://www.youtube.com/watch?v=Q_EYoV1kZWk; <https://machinelearning.apple.com/research/personalized-hey-siri>; <https://www.youtube.com/watch?v=RXeOiIDNNek&t=3870s>; <https://www.apple.com/siri/>; <https://www.apple.com/apple-intelligence/>.



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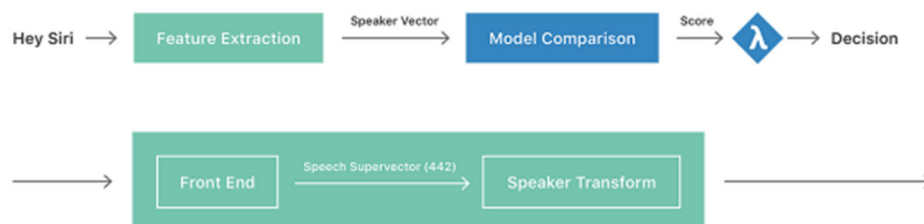


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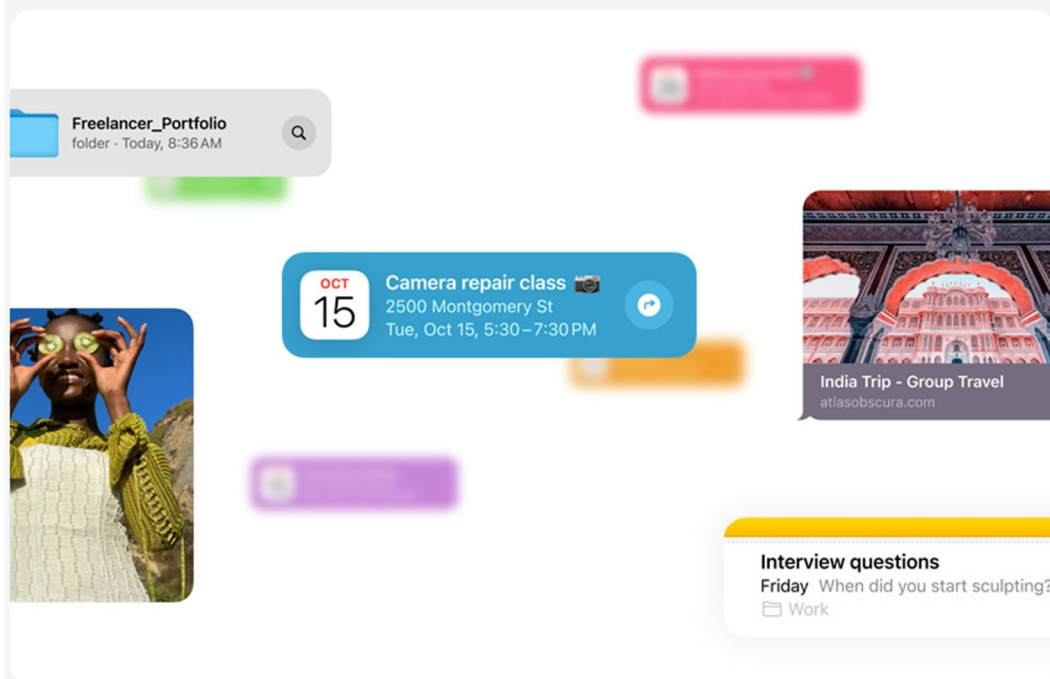
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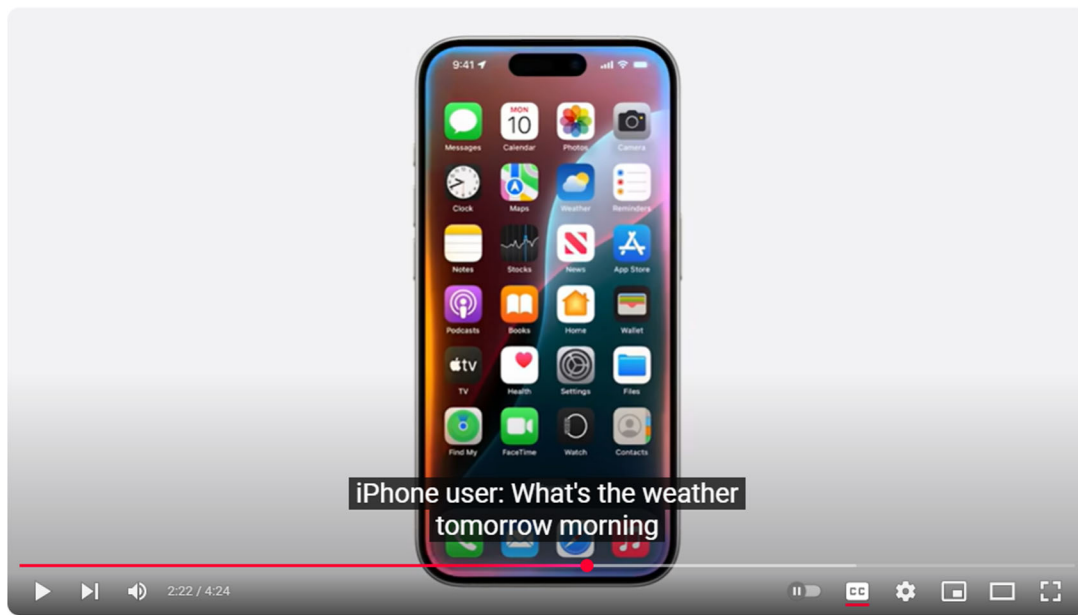
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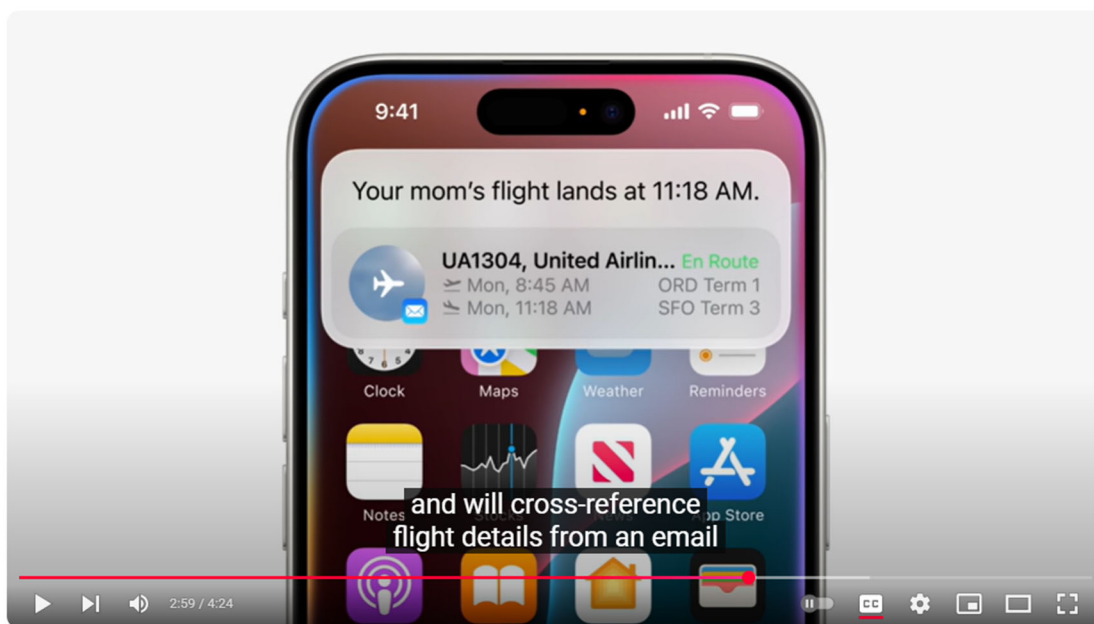
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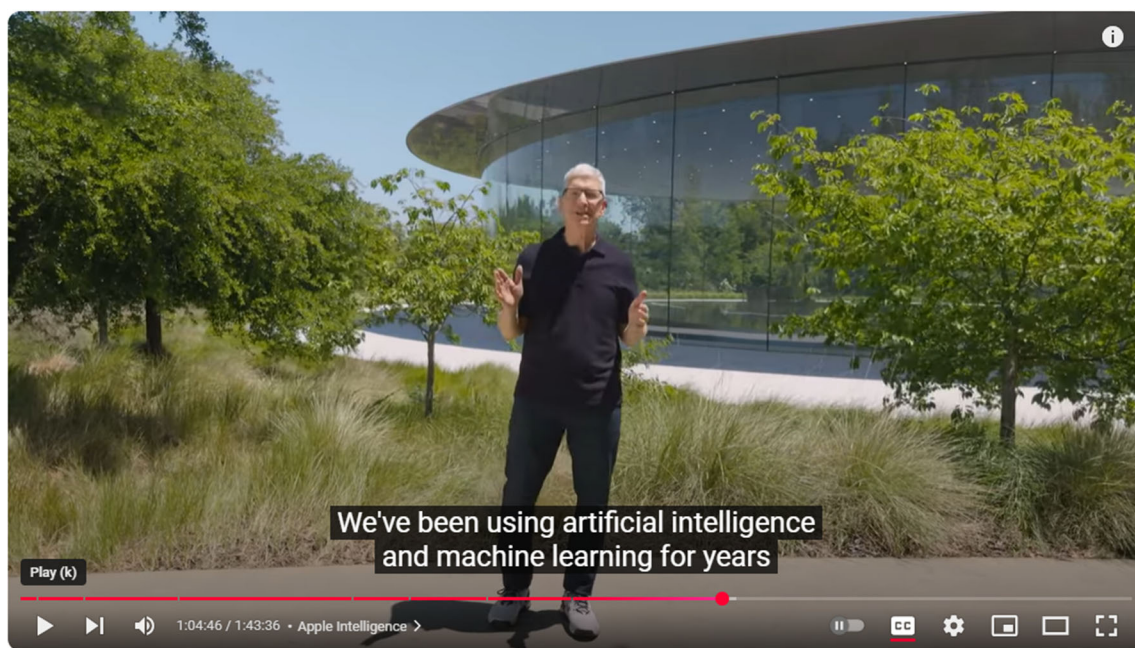
58. The conversational speech engine further establishes an intended meaning for the utterance within the identified context to disambiguate an intent that the user had in speaking the one or more words that have the different meanings in the different contexts, such as the intended meaning for whether an alarm is to be set for the AM or PM, the intended meaning for the location of the weather the user is requesting, and the intended meaning of who the user is requesting information about.¹⁶



¹⁶ E.g., https://www.youtube.com/watch?v=Q_EYoV1kZWk; <https://machinelearning.apple.com/research/personalized-hey-siri>; <https://www.youtube.com/watch?v=RXeOiIDNNek&t=3870s>; <https://www.apple.com/siri/>.



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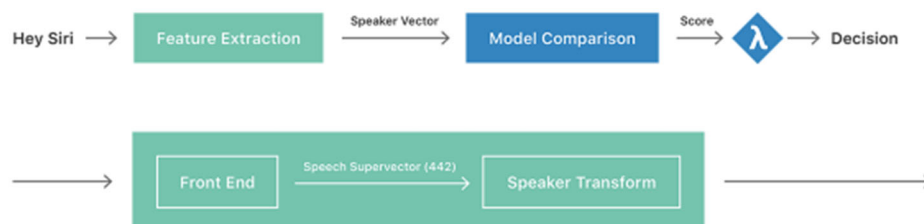


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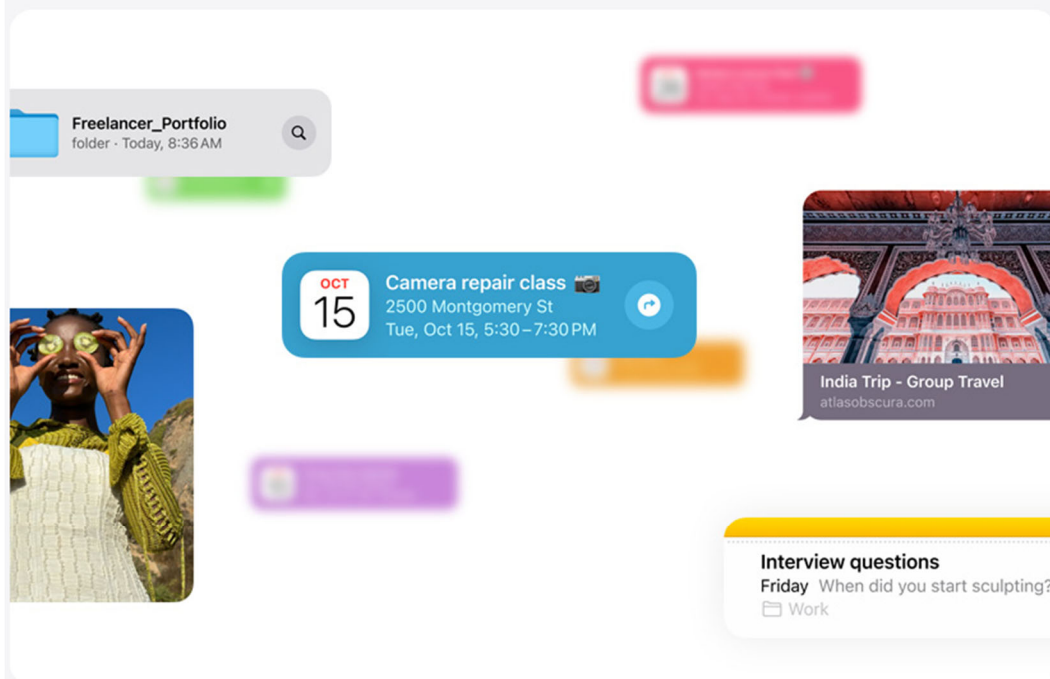
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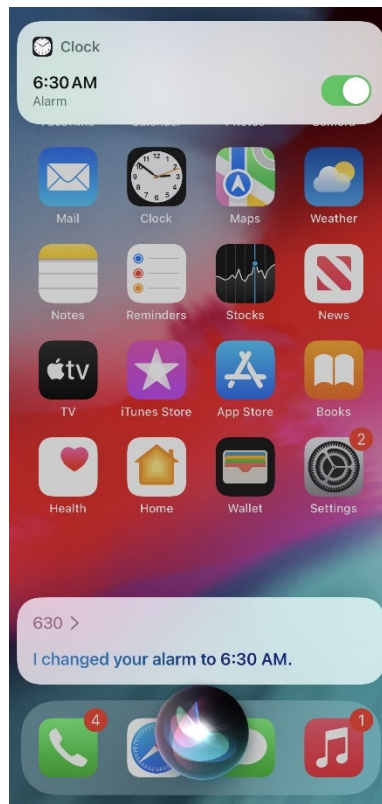
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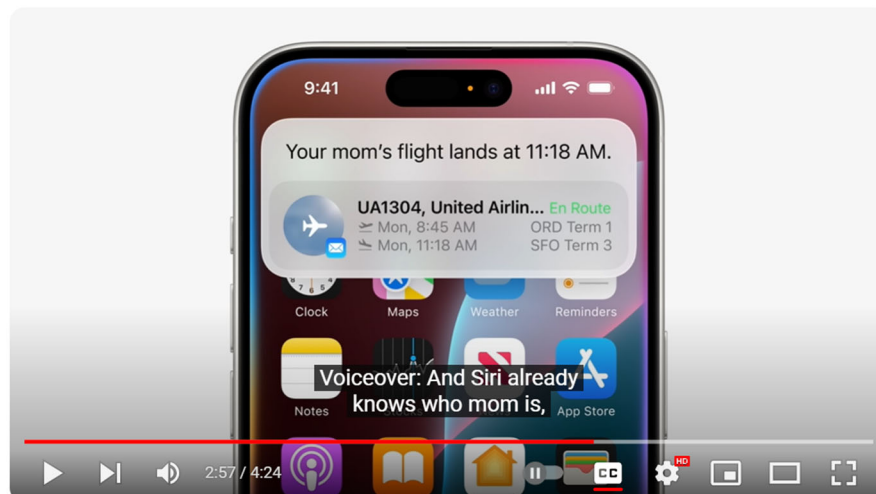
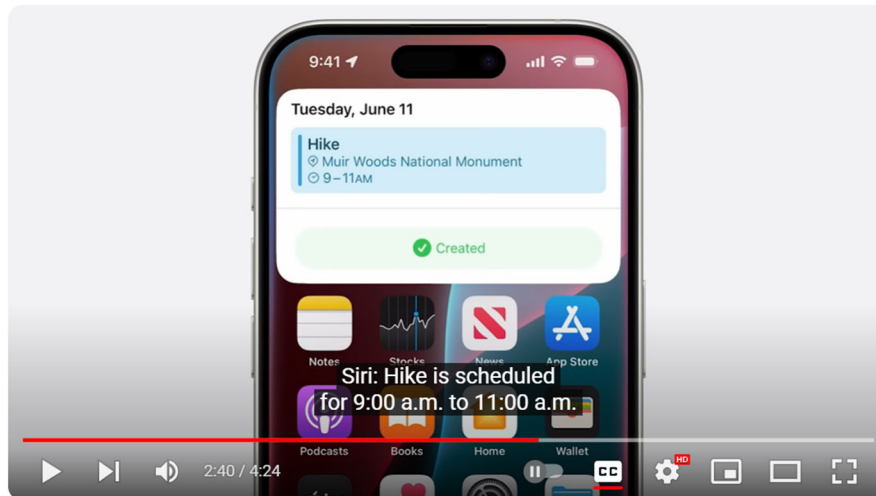
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Screenshot taken on a Siri Product.

¹⁷ E.g., https://www.youtube.com/watch?v=Q_EYoV1kZWk; <https://machinelearning.apple.com/research/personalized-hey-siri>; <https://www.youtube.com/watch?v=RXeOiIDNNek&t=3870s>; <https://www.apple.com/siri/>.



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60. Additional exemplary evidence is found in Exhibit H.

61. On information and belief, Apple knew of or was willfully blind to the '681 patent and the fact that the foregoing induced acts constitute patent infringement.

62. Apple has been and is continuing to contributorily infringe the '681 patent by selling or offering to sell Siri Products, knowing them to be especially made or especially adapted for practicing the invention of the '681 patent and not a staple article or commodity of commerce suitable for substantial non-infringing use in violation of 35 U.S.C. § 271(c). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices

such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.¹⁸ Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.¹⁹ Additionally, Apple causes Siri Products to be made available through its own website.²⁰ Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.²¹

63. For some claims of the '681 patent, the Siri Products are a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process. For example, the Siri Products (which includes, for example, Siri apart from other non-Siri hardware and software components) are a component of the patented method claims

¹⁸ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

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²¹ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

which recite “receiving an utterance” from, for example, a user of the Siri Products. As another example, Siri is a component of the ecobee SmartThermostat with Voice Control.²² Siri is also a component of various third-party products created by Apple’s app developer community using SiriKit.²³

64. On information and belief, Apple knew and continues to know that the Siri Products are especially made or especially adapted for practicing the invention of the ’681 patent. For example, Apple knew of the ’681 patent during its negotiations with VoiceBox Technologies to buy or license the VoiceBox Patents, and Apple knew (or was willfully blind) that the Siri Products are especially made or especially adapted to infringe the claims of the ’681 patent. Apple instructs and encourages app developers and third parties to use Siri in its products, despite knowing that Siri infringes the ’681 patent. Apple also sells and offers for sale Siri Products on its own website. Apple also profits from third parties who sell Siri Products. Apple also provides technical support for users to use the Siri Products to infringe the ’681 patent.

65. Apple knew and continues to know that the Siri Products are not a staple article or commodity of commerce suitable for substantial non-infringing use. The claims of the ’681 patent recite, among other elements, a voice input device configured to receive an utterance during a current conversation with a user and a conversational speech engine including one or more processors configured to perform additional tasks to generate a response. Likewise, Siri “[e]mpower[s] users to interact with their devices through voice, intelligent suggestions, and

²² E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>.

²³ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

personalized workflows.”²⁴ On information and belief, during its negotiations with VoiceBox Technologies to buy or license the VoiceBox Patents, Apple knew of the ’681 patent and that the Siri Products were not a staple article or commodity of commerce suitable for non-infringing use.

66. VoiceBox and its predecessors-in-interest have satisfied the marking requirements of 35 U.S.C. § 287 with respect to the ’681 patent to the extent that any patented article is subject to a duty to mark.

67. Apple’s infringement has been, and continues to be knowing, intentional, and willful. On information and belief, Apple has known of the existence of the ’681 patent, and its acts of infringement have been willful and in disregard for the ’681 patent, without any reasonable basis for believing that it had a right to engage in the infringing conduct.

68. Apple’s acts of infringement of the ’681 patent have caused and will continue to cause VoiceBox damages for which VoiceBox is entitled to compensation pursuant to 35 U.S.C. § 284.

69. This case is exceptional and, therefore, VoiceBox is entitled to an award of attorney’s fees pursuant to 35 U.S.C. § 285.

COUNT 2: INFRINGEMENT OF THE ’765 PATENT

70. VoiceBox realleges and incorporates the allegations of the preceding paragraphs of this complaint as though fully stated herein.

71. Apple, on its own or by conduct attributable to Apple, has and continues to infringe the ’765 patent by making, using, selling, offering for sale, and/or importing into the United States, Siri Products, which embodies or uses the inventions of the ’765 patent in violation of 35 U.S.C.

²⁴ E.g., <https://developer.apple.com/documentation/sirikit/>; see <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

§ 271(a). Exemplary evidence and an exemplary chart mapping an exemplary claim (claim 10) to Siri Products can be found in **Exhibit I**. VoiceBox anticipates identifying additional asserted claims in accordance with the case schedule and its discovery obligations.

72. On information and belief, Apple knew of or was willfully blind to the existence of the '765 patent by on or around August 20, 2013. Before that, in or around July 2012 the '681 patent had already issued, Apple had been offering Siri Products, and Apple had offered to buy or license the '681 patent and family members from VoiceBox's predecessor VoiceBox Technologies. On August 20, 2013, the '765 patent issued in the '681 patent family claiming priority to the '681 patent. On information and belief, on or around August 20, 2013, Apple knew that the Siri Products infringe the '765 patent, that Apple directly infringes the '765 patent, and that its actions would induce and contribute to infringement by Siri Products' users. On information and belief, the negotiations between Apple and VoiceBox Technologies included discussions of both the VoiceBox Patents (including the '765 patent) and the Siri Products (including its voice recognition and assistant technology and its users' use thereof). On information and belief, during the negotiations to buy or license the VoiceBox Patents (including the '765 patent), Apple conducted due diligence of the VoiceBox Patents and the Siri Products and its users' use thereof and determined that the Siri Products and its users infringe at least the '765 patent. On information and belief, through its due diligence, Apple became very familiar with VoiceBox Technologies and its business and the VoiceBox Patents (including the '765 patent). On information and belief, the Siri technology was Apple's only voice recognition and assistant technology it commercialized at the time of the negotiations. Apple continued its negotiations for the VoiceBox Patents because, on information and belief, its due diligence revealed that the Siri Products and its users infringe at least the '765 patent. On information and belief, Apple was at

least willfully blind to the facts that the Siri Products infringe the '765 patent, that Apple directly infringes the '765 patent, and that its actions would induce and contribute to infringement by Siri Products' users because: (1) Apple subjectively believed that there was a high probability these facts existed because Apple was investigating and analyzing the '765 patent and its family for purchase or license; and (2) Apple took deliberate action to avoid learning of these facts and discussing them during the negotiations for the VoiceBox Patents. Apple continued to negotiate for the VoiceBox Patents spanning a period of years.

73. Additionally, in or around May of 2014, Apple offered to buy the '765 patent from VoiceBox's predecessor, VoiceBox Technologies. On information and belief, in or around May of 2014, Apple knew that the Siri Products infringe the '765 patent, that Apple directly infringes the '765 patent, and that its actions would induce and contribute to infringement by Siri Products' users. On information and belief, the negotiations between Apple and VoiceBox Technologies included discussions of both the VoiceBox Patents (including the '765 patent) and the Siri Products (including its voice recognition and assistant technology and its users' use thereof). On information and belief, during the negotiations to buy or license the VoiceBox Patents (including the '765 patent), Apple conducted due diligence of the VoiceBox Patents and the Siri Products and its users' use thereof and determined that the Siri Products and its users infringe at least the '765 patent. On information and belief, through its due diligence, Apple became very familiar with VoiceBox Technologies and its business and the VoiceBox Patents (including the '765 patent). On information and belief, the Siri technology was Apple's only voice recognition and assistant technology it commercialized at the time of the negotiations. Apple continued its negotiations for the VoiceBox Patents because, on information and belief, its due diligence revealed that the Siri Products and its users infringe at least the '765 patent. On information and belief, Apple was at

least willfully blind to the facts that the Siri Products infringe the '765 patent, that Apple directly infringes the '765 patent, and that its actions would induce and contribute to infringement by Siri Products' users because: (1) Apple subjectively believed that there was a high probability these facts existed because Apple was investigating and analyzing the '765 patent and its family members for purchase or license; and (2) Apple took deliberate action to avoid learning of these facts and discussing them during the negotiations for the VoiceBox Patents. Apple continued to negotiate for the VoiceBox Patents spanning a period of years.

74. Additionally, Apple has actual notice that the Siri Products and its users infringe the '765 patent at least as of the date of the filing of the original Complaint. Since no later than that date, Apple has known or been willfully blind to the facts that the Siri Products and its users infringe the '765 patent, that Apple directly infringes the '765 patent, and that its actions would induce and contribute to infringement by Siri Products' users.

75. Apple has been and is inducing infringement of the '765 patent by actively and knowingly inducing others to make, use, sell, offer for sale, or import Siri Products that include Siri and embody or use the inventions claimed in the '765 patent in violation of 35 U.S.C. § 271(b). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.²⁵ Apple also offers SiriKit to its app developer community to design

²⁵ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=17dTf-8T0DYGfFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple->

applications and third-party products to embody and use Siri in an infringing manner.²⁶ Additionally, Apple causes Siri Products to be made available through its own website.²⁷ Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.²⁸

76. Apple instructs and encourages users of the Siri Products to infringe the '765 patent. For example, Apple instructs and encourages users to operate the Siri Products such that the products receive, at a speech engine, a natural language utterance corresponding to a conversation type from a voice-enabled device. Apple instructs and encourages users of the Siri Products to provide natural language utterances to the Siri Products, which can include utterances such as “Siri, heading to work,” “Siri, how do I bake a cake,” “Siri, change my alarm,” and other Siri-based phrases.²⁹

[intelligence](https://developer.apple.com/documentation/sirikit/); <https://developer.apple.com/documentation/sirikit/>;
<https://developer.apple.com/siri/>.

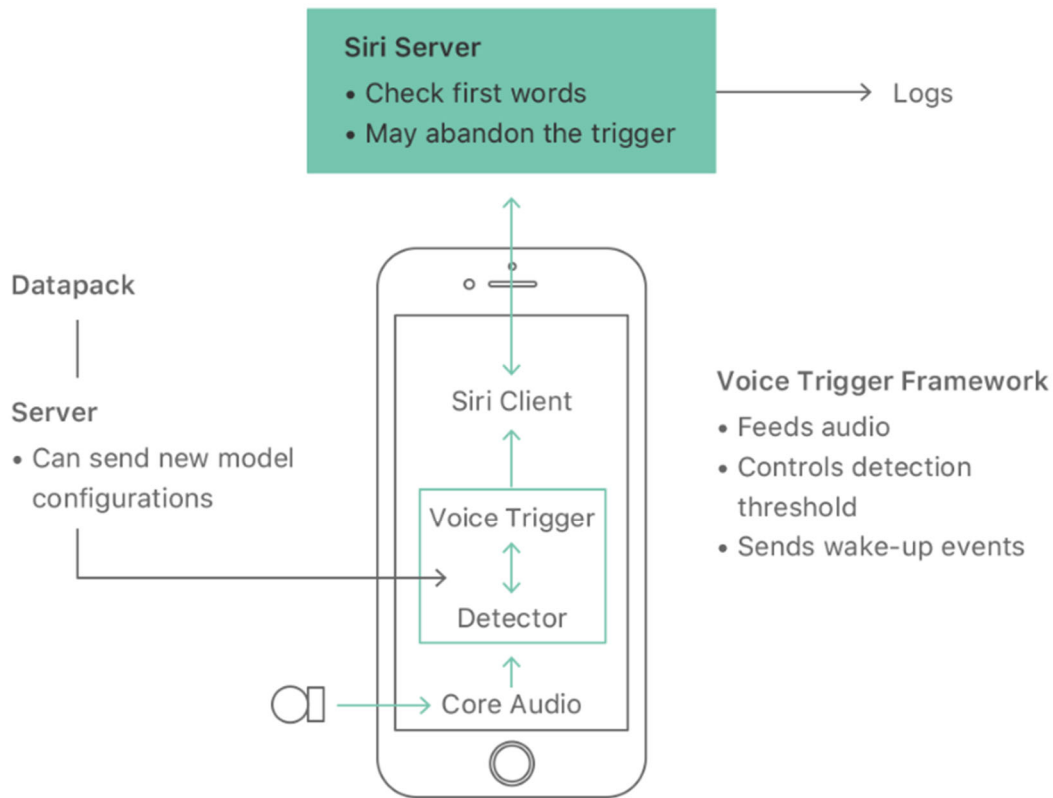
²⁶ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>;
<https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

²⁷ E.g., <https://www.apple.com/shop/buy-iphone/>; <https://www.apple.com/shop/buy-ipad/>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac/>;
<https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>;
<https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>;
<https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>;
<https://developer.apple.com/videos/play/wwdc2024/10133/>;
<https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>;
<https://developer.apple.com/siri/>.

²⁸ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

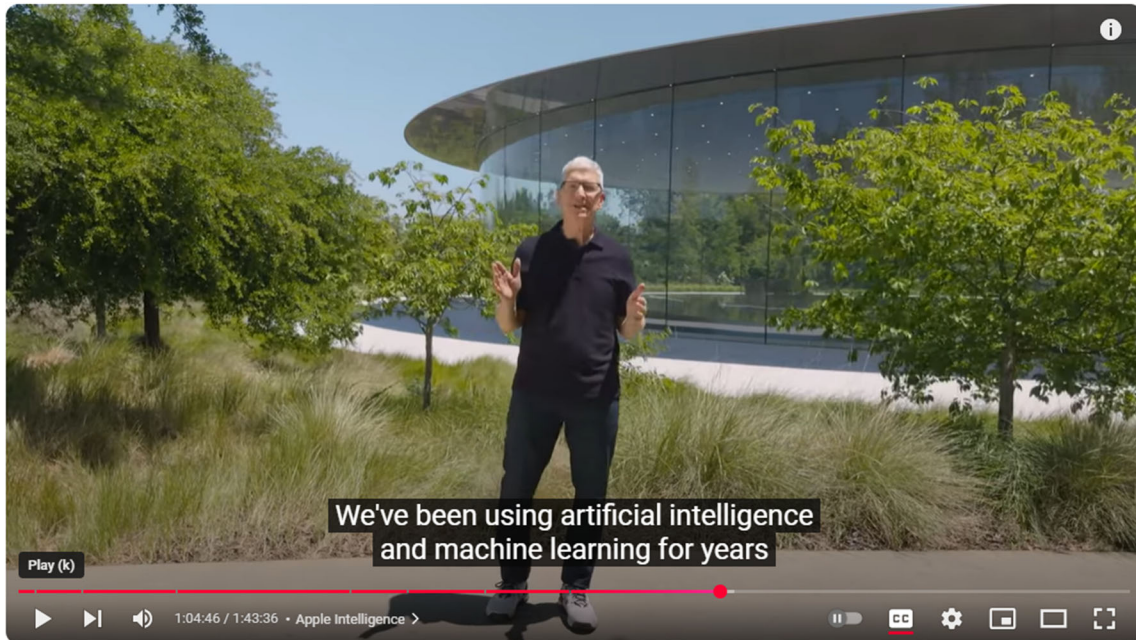
²⁹ E.g., <https://machinelearning.apple.com/research/hey-siri>;
<https://www.youtube.com/watch?v=RXeOiIDNNek&t=3870s>; <https://support.apple.com/en-gb/guide/iphone/iph7d118960c/ios>; <https://support.apple.com/en-gb/HT209055>.

Figure 1. The Hey Siri flow on iPhone



Being able to use Siri without pressing buttons is particularly useful when hands are busy, such as when cooking or driving, or when using the Apple Watch. As Figure 1 shows, the whole system has several parts. Most of the implementation of Siri is "in the Cloud", including the main automatic speech recognition, the natural language interpretation and the various information services. There are also servers that can provide updates to the acoustic models used by the detector. This article concentrates on the part that runs on your local device, such as an iPhone or Apple Watch. In particular, it focusses on the detector: a specialized speech recognizer which is always listening just for its wake-up phrase (on a recent iPhone with the "Hey Siri" feature enabled).

<https://machinelearning.apple.com/research/hey-siri>.



<https://www.youtube.com/watch?v=RXeOiIDNNek&t=3870s>.

Use a shortcut

Activate Siri, then speak your phrase for the shortcut. See [Use Siri](#).

<https://support.apple.com/en-gb/guide/iphone/iph7d118960c/ios>.

Run shortcuts with Siri, the Shortcuts app or Siri Suggestions

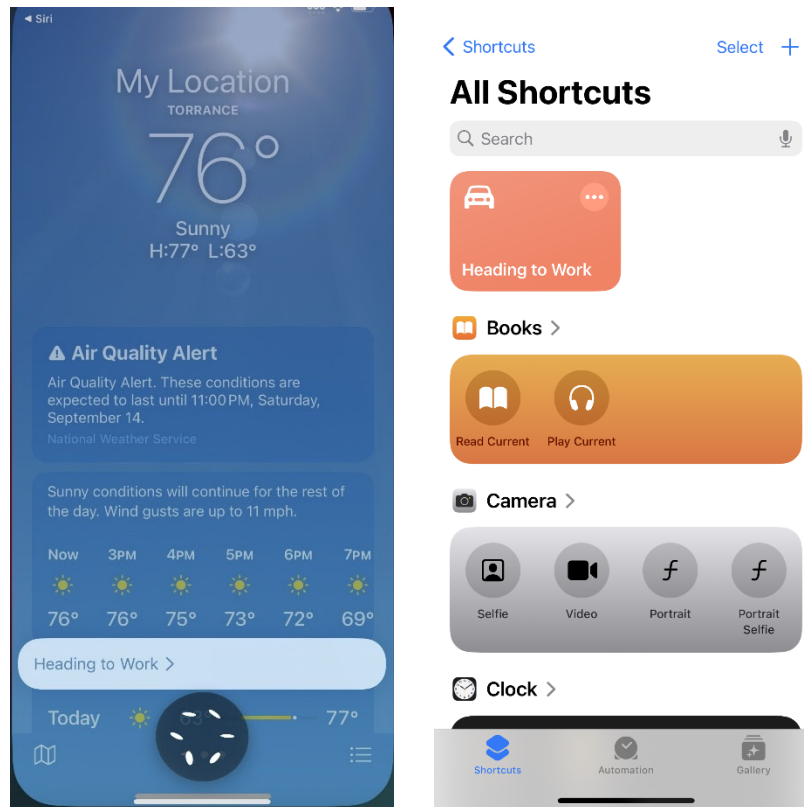
Shortcuts let you quickly do everyday tasks, and with the apps you use the most – all with just a tap or by asking Siri. Look for the Add to Siri button in your favourite apps or visit the Gallery in the Shortcuts app to add new shortcuts.

<https://support.apple.com/en-gb/HT209055>.

77. After receiving the user's natural language utterance, the Siri Products determine the conversation type corresponding to the natural language utterance based on whether a user that

spoke the natural language utterance has a leader role in an interaction with the voice-enabled device or has a supporter role in the interaction with the voice-enabled device.³⁰

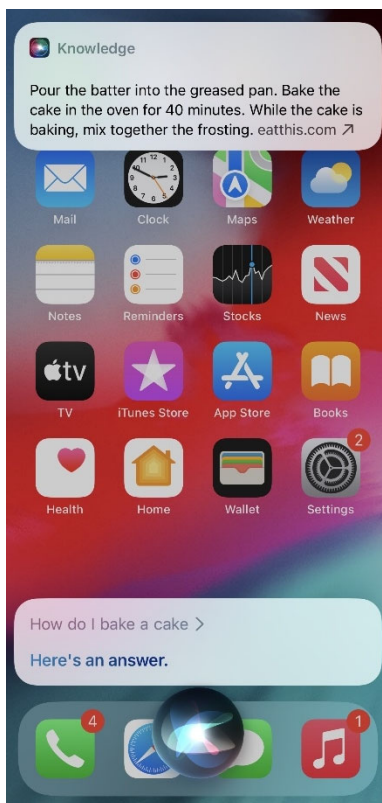
78. For example, the Siri Products determine a conversation type corresponding to the utterance “Siri, heading to work” based on the user having the supporter role.



Screenshots taken on a Siri Product.

79. As another example, the Siri Products determine a conversation type corresponding to the utterance “Siri, how do I bake a cake” based on the user having the supporter role.

³⁰ E.g., <https://apps.apple.com/us/app/shortcuts/id915249334>; <https://www.apple.com/apple-intelligence/>.



Screenshot taken on a Siri Product.

80. As another example, the Siri Products determine a conversation type corresponding to the utterance “Siri, change my alarm” based on the user having the leader role.



Screenshot taken on a Siri Product.

81. Below is an additional example.



Screenshot taken on a Siri Product.

82. Apple instructs and encourages users of the Siri Products to use Siri shortcuts for which the user can take a leader or support role.

Siri Shortcuts deliver a quick way to get things done with your apps with just a tap or by asking Siri. The Shortcuts app enables you to create personal shortcuts with multiple steps from your favorite apps. Start from hundreds of examples in the Gallery or drag and drop to create your own.

Shortcuts includes over 300 built-in actions and works with many of your favorite apps including Contacts, Calendar, Maps, Music, Photos, Camera, Reminders, Safari, Health as well as any app that supports Siri Shortcuts.

Use the Shortcuts app to:

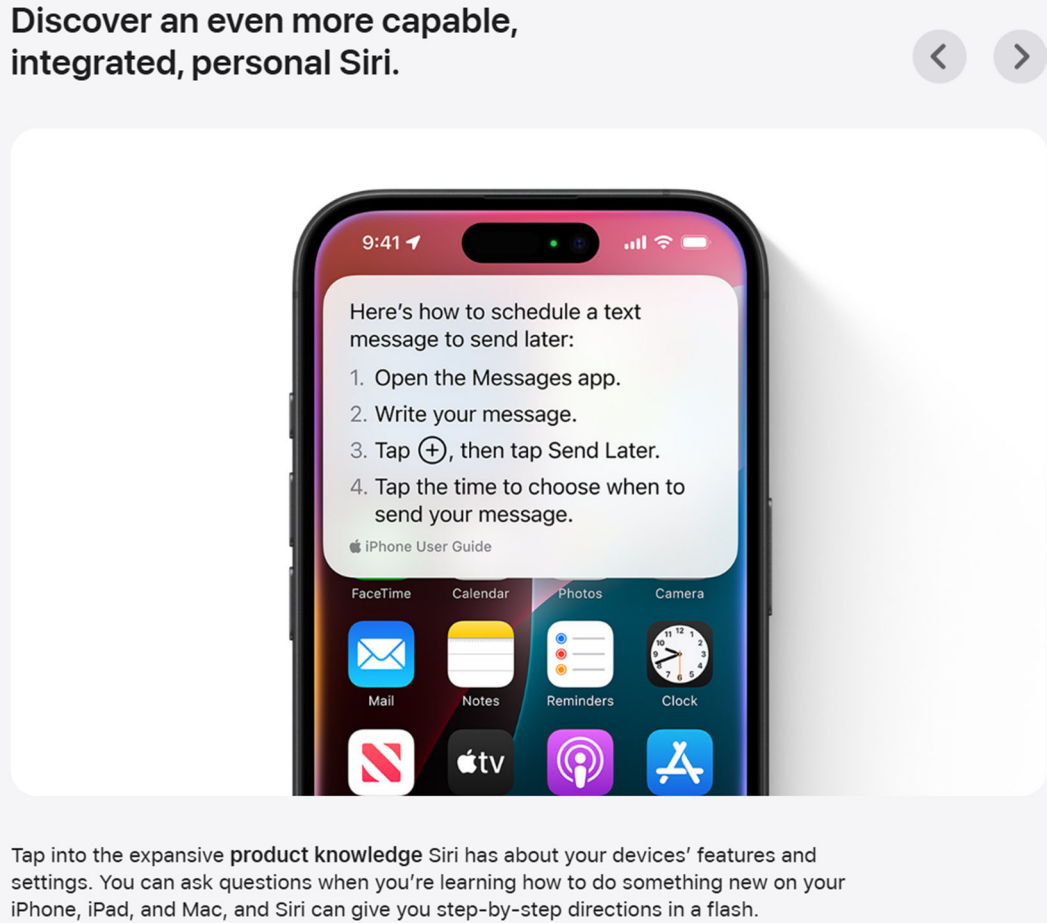
- * Get directions home, send your ETA and start listening to the news, just by asking Siri
- * Add a home screen icon that calls a loved one
- * Make animated GIFs
- * Make PDFs from Safari or any app with a share sheet
- * Get directions to the nearest coffee shop in one tap
- * Tweet the song you're listening to
- * Get all of the images on a web page
- * Send a message including the last screenshot you took
- * And so much more...

Shortcuts can be launched from the Today widget, from Search or by asking Siri. You can even add an app icon to your home screen for your favorite Shortcuts.

Shortcuts opens up incredible possibilities to automate things you do regularly on your iPhone and iPad.

<https://apps.apple.com/us/app/shortcuts/id915249334>.

83. Apple instructs and encourages users of the Siri Products to ask questions of Siri to learn how to do something new on Siri Products.

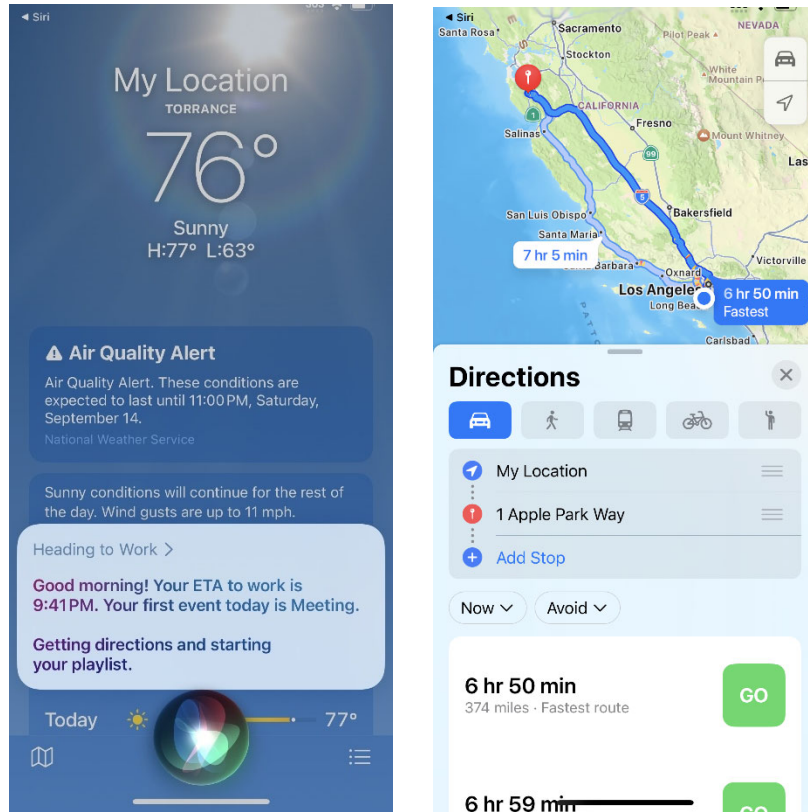


<https://www.apple.com/apple-intelligence/>.

84. The Siri Products further generate a response to the natural language utterance with a format based on the conversation type. The format is adapted to limit the user's future input to interjecting queries or requests for clarification if the user has the supporter role.³¹

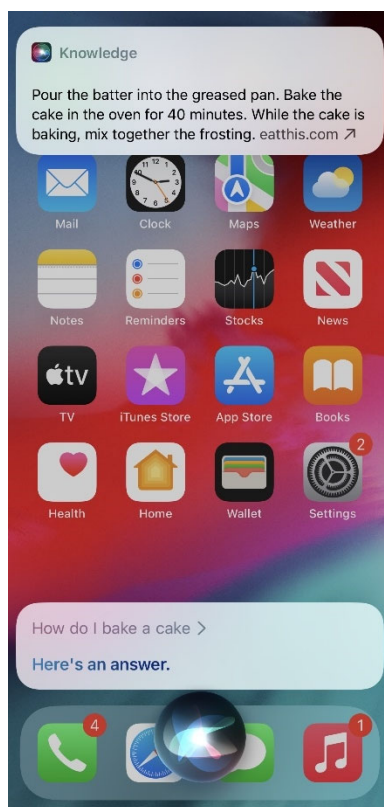
85. For example, the Siri Products generate a response to the natural language utterance "Siri, heading to work" with a format based on the conversation type. The format is adapted to limit the user's future input to interjecting queries or requests for clarification because the user has the support role.

³¹ E.g., <https://www.apple.com/apple-intelligence/>.



Screenshots taken on a Siri Product.

86. As another example, the Siri Products generate a response to the natural language utterance “Siri, how do I bake a cake” with a format based on the conversation type. The format is adapted to limit the user’s future input to interjecting queries or requests for clarification because the user has the support role.



Screenshot taken on a Siri Product.

87. As another example, the Siri Products generate a response to the natural language utterance “Siri, change my alarm” with a format based on the conversation type. The format is not adapted to limit the user’s future input to interjecting queries or requests for clarification because the user has the leader role.



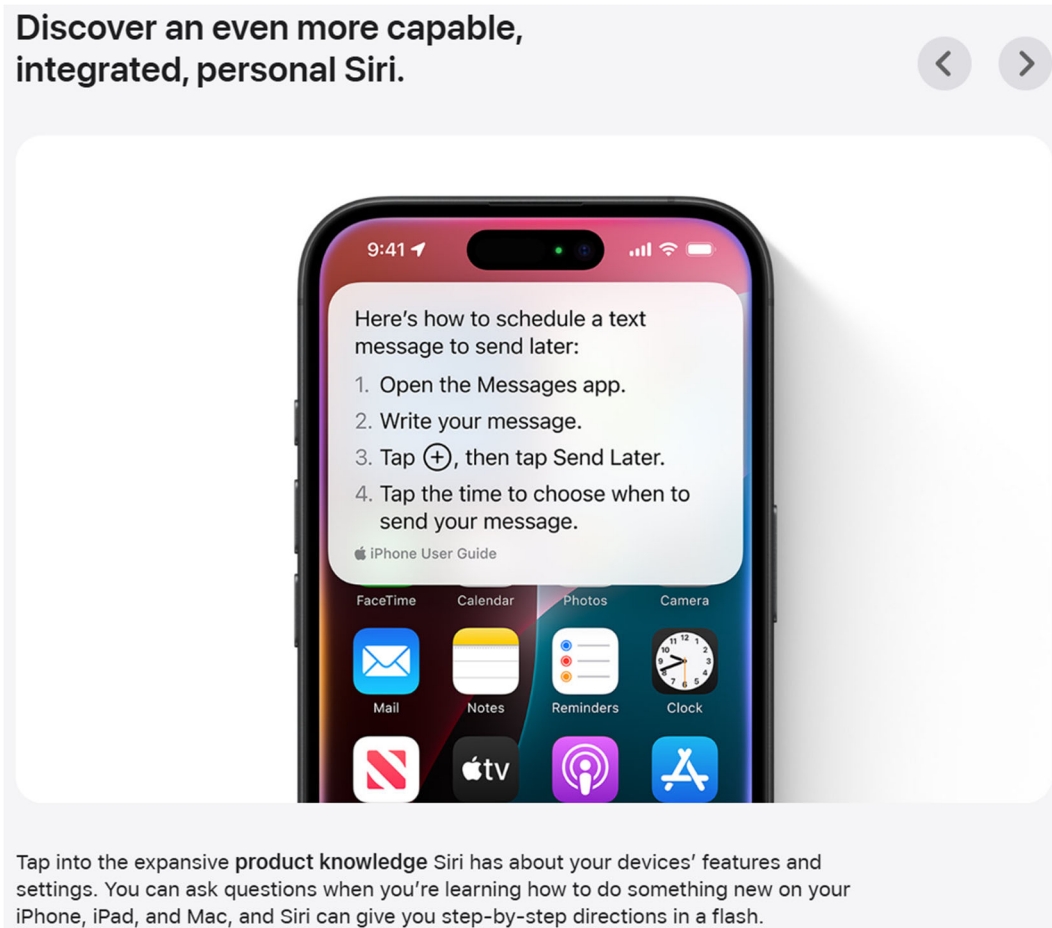
Screenshots taken on a Siri Product.

88. Below is an additional example.



Screenshot taken on a Siri Product.

89. Apple instructs and encourages users of the Siri Products to ask questions of Siri to generate a response to the users' questions.



<https://www.apple.com/apple-intelligence/>.

90. Additional exemplary evidence is found in Exhibit I.

91. On information and belief, Apple knew of or was willfully blind to the '765 patent and the fact that the foregoing induced acts constitute patent infringement.

92. Apple has been and is continuing to contributorily infringe the '765 patent by selling or offering to sell Siri Products, knowing them to be especially made or especially adapted for practicing the invention of the '765 patent and not a staple article or commodity of commerce suitable for substantial non-infringing use in violation of 35 U.S.C. § 271(c). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices

such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.³² Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.³³ Additionally, Apple causes Siri Products to be made available through its own website.³⁴ Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.³⁵

93. For some claims of the '765 patent, the Siri Products are a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process. For example, the Siri Products (which includes, for example, Siri apart from other non-Siri hardware and software components) are a component of the patented method claims

³² E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

³³ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

³⁴ E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

³⁵ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

which recite “receiving . . . a natural language utterance” from, for example, a user of the Siri Products. As another example, Siri is a component of the ecobee SmartThermostat with Voice Control.³⁶ Siri is also a component of various third-party products created by Apple’s app developer community using SiriKit.³⁷

94. On information and belief, Apple knew and continues to know that the Siri Products are especially made or especially adapted for practicing the invention of the ’765 patent. For example, Apple knew of the ’765 patent during its negotiations with VoiceBox Technologies to buy or license the VoiceBox Patents, and Apple knew (or was willfully blind) that the Siri Products are especially made or especially adapted to infringe the claims of the ’765 patent. Apple instructs and encourages app developers and third parties to use Siri in its products, despite knowing that Siri infringes the ’765 patent. Apple also sells and offers for sale Siri Products on its own website. Apple also profits from third parties who sell Siri Products. Apple also provides technical support for users to use the Siri Products to infringe the ’765 patent.

95. Apple knew and continues to know that the Siri Products are not a staple article or commodity of commerce suitable for substantial non-infringing use. The claims of the ’765 patent recite, among other elements, a speech engine configured to receive a natural language utterance from a voice-enabled device and generate a response to the natural language utterance. Likewise, Siri “[e]mpower[s] users to interact with their devices through voice, intelligent suggestions, and

³⁶ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>.

³⁷ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

personalized workflows.”³⁸ On information and belief, during its negotiations with VoiceBox Technologies to buy or license the VoiceBox Patents, Apple knew of the ’765 patent and that the Siri Products were not a staple article or commodity of commerce suitable for non-infringing use.

96. VoiceBox and its predecessors-in-interest have satisfied the marking requirements of 35 U.S.C. § 287 with respect to the ’765 patent to the extent that any patented article is subject to a duty to mark.

97. Apple’s infringement has been, and continues to be knowing, intentional, and willful. On information and belief, Apple has known of the existence of the ’765 patent, and its acts of infringement have been willful and in disregard for the ’765 patent, without any reasonable basis for believing that it had a right to engage in the infringing conduct.

98. Apple’s acts of infringement of the ’765 patent have caused and will continue to cause VoiceBox damages for which VoiceBox is entitled to compensation pursuant to 35 U.S.C. § 284.

99. This case is exceptional and, therefore, VoiceBox is entitled to an award of attorney’s fees pursuant to 35 U.S.C. § 285.

COUNT 3: INFRINGEMENT OF THE ’249 PATENT

100. VoiceBox realleges and incorporates the allegations of the preceding paragraphs of this complaint as though fully stated herein.

101. Apple, on its own or by conduct attributable to Apple, has and continues to infringe the ’249 patent by making, using, selling, offering for sale, and/or importing into the United States, Siri Products, which embodies or uses the inventions of the ’249 patent in violation of 35 U.S.C.

³⁸ *E.g.*, <https://developer.apple.com/documentation/sirikit/>; *see* <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

§ 271(a). Exemplary evidence and an exemplary chart mapping an exemplary claim (claim 1) to Siri Products can be found in **Exhibit J**. VoiceBox anticipates identifying additional asserted claims in accordance with the case schedule and its discovery obligations.

102. On May 21, 2019, the '249 patent issued in the '681 patent family claiming priority to the '681 patent. Apple has actual notice that the Siri Products and its users infringe the '249 patent at least as of the date of the filing of the original Complaint. Since no later than that date, Apple has known or been willfully blind to the facts that the Siri Products and its users infringe the '249 patent, that Apple directly infringes the '249 patent, and that its actions would induce and contribute to infringement by Siri Products' users. On information and belief, Apple was at least willfully blind to the facts that the Siri Products and its users infringe the '249 patent, that Apple directly infringes the '249 patent, and that its actions would induce and contribute to infringement by Siri Products' users because: (1) Apple subjectively believed that there was a high probability these facts existed because Apple was served with the original Complaint and made aware of both the '249 patent and Apple's and the Siri Products' users infringement, and (2) Apple took deliberate action to avoid learning of these facts or attempt to avoid infringement upon learning of its and its users' infringement of the '249 patent.

103. Apple has been and is inducing infringement of the '249 patent by actively and knowingly inducing others to make, use, sell, offer for sale, or import Siri Products that include Siri and embody or use the inventions claimed in the '249 patent in violation of 35 U.S.C. § 271(b). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an

infringing manner.³⁹ Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.⁴⁰ Additionally, Apple causes Siri Products to be made available through its own website.⁴¹ Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.⁴²

104. Apple instructs and encourages users of the Siri Products to infringe the '249 patent. For example, Apple instructs and encourages users to operate the Siri Products such that the products perform a computer-implemented method of facilitating natural language system responses using short-term knowledge generated based on one or more prior multi-modal device interactions. The method is implemented by a computer system that includes one or more physical

³⁹ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁴⁰ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

⁴¹ E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁴² E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

processors executing one or more computer program instructions which, when executed, perform the method.

105. Apple further instructs and encourages users to operate the Siri Products by asking the Siri Products questions for which the Siri Products receive, by the computer system during a first conversation, a first voice input (which includes a first natural language utterance) via a first input device.

106. Apple further instructs and encourages users to operate the Siri Products by asking the Siri Products questions for which the Siri Products receive, by the computer system, a second voice input comprising the first natural language utterance via a second input device. The computer system compares the first voice input with the second voice input. The computer system filters sound from the first voice input and the second voice input based on the comparison. The computer system obtains, during the first conversation, a user interface state related to one or more non-voice inputs associated with the first voice input, the one or more non-voice inputs comprising at least a first non-voice input. The computer system generates the short-term knowledge based on at least the first voice input and the first non-voice input. The computer system determines based on the short-term knowledge, a first context for the first natural language utterance. The computer system determines, based on the first context, an interpretation of the first natural language utterance. The computer system generates, based on the interpretation of the first natural language utterance, a first response to the first natural language utterance.

107. Additional facts showing the Siri Products' and its users' infringement can be found in Exhibit J.

108. On information and belief, Apple knew of or was willfully blind to the '249 patent and the fact that the foregoing induced acts constitute patent infringement.

109. Apple has been and is continuing to contributorily infringe the '249 patent by selling or offering to sell Siri Products, knowing them to be especially made or especially adapted for practicing the invention of the '249 patent and not a staple article or commodity of commerce suitable for substantial non-infringing use in violation of 35 U.S.C. § 271(c). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.⁴³ Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.⁴⁴ Additionally, Apple causes Siri Products to be made available through its own website.⁴⁵ Apple also profits from third parties who

⁴³ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁴⁴ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

⁴⁵ E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.⁴⁶

110. For some claims of the '249 patent, the Siri Products are a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process. For example, the Siri Products (which includes, for example, Siri apart from other non-Siri hardware and software components) are a component of the patented method claims which recite “receiving . . . a first voice input . . . comprising a first natural language utterance” from, for example, a user of the Siri Products. As another example, Siri is a component of the ecobee SmartThermostat with Voice Control.⁴⁷ Siri is also a component of various third-party products created by Apple’s app developer community using SiriKit.⁴⁸

111. On information and belief, Apple knew and continues to know that the Siri Products are especially made or especially adapted for practicing the invention of the '249 patent. For example, Apple knew of the '249 patent at least as of the filing of the original Complaint, and Apple knew (or was willfully blind) that the Siri Products are especially made or especially adapted to infringe the claims of the '249 patent. Apple instructs and encourages app developers and third parties to use Siri in its products, despite knowing that Siri infringes the '249 patent. Apple also sells and offers for sale Siri Products on its own website. Apple also profits from third parties who sell Siri Products. Apple also provides technical support for users to use the Siri Products to infringe the '249 patent.

⁴⁶ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

⁴⁷ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>.

⁴⁸ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

112. Apple knew and continues to know that the Siri Products are not a staple article or commodity of commerce suitable for substantial non-infringing use. The claims of the '249 patent recite, among other elements, a first voice input via a first voice input device, the first voice input comprising a first natural language utterance, and a computer system including one or more physical processors to perform additional tasks to generate a response. Likewise, Siri “[e]mpower[s] users to interact with their devices through voice, intelligent suggestions, and personalized workflows.”⁴⁹ At least as of the filing of the original Complaint, Apple knew of the '249 patent and that the Siri Products were not a staple article or commodity of commerce suitable for non-infringing use.

113. VoiceBox and its predecessors-in-interest have satisfied the marking requirements of 35 U.S.C. § 287 with respect to the '249 patent to the extent that any patented article is subject to a duty to mark.

114. Apple’s infringement has been, and continues to be knowing, intentional, and willful. On information and belief, Apple has known of the existence of the '249 patent, and its acts of infringement have been willful and in disregard for the '249 patent, without any reasonable basis for believing that it had a right to engage in the infringing conduct.

115. Apple’s acts of infringement of the '249 patent have caused and will continue to cause VoiceBox damages for which VoiceBox is entitled to compensation pursuant to 35 U.S.C. § 284.

116. This case is exceptional and, therefore, VoiceBox is entitled to an award of attorney’s fees pursuant to 35 U.S.C. § 285.

⁴⁹ E.g., <https://developer.apple.com/documentation/sirikit/>; see <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

COUNT 4: INFRINGEMENT OF THE '341 PATENT

117. VoiceBox realleges and incorporates the allegations of the preceding paragraphs of this complaint as though fully stated herein.

118. Apple, on its own or by conduct attributable to Apple, has and continues to infringe the '341 patent by making, using, selling, offering for sale, and/or importing into the United States, Siri Products, which embodies or uses the inventions of the '341 patent in violation of 35 U.S.C. § 271(a). Exemplary evidence and an exemplary chart mapping an exemplary claim (claim 10) to Siri Products can be found in **Exhibit K**. VoiceBox anticipates identifying additional asserted claims in accordance with the case schedule and its discovery obligations.

119. On December 17, 2019, the '341 patent issued in the '681 patent family claiming priority to the '681 patent. Apple has actual notice that the Siri Products and its users infringe the '341 patent at least as of the date of the filing of the original Complaint. Since no later than that date, Apple has known or been willfully blind to the facts that the Siri Products and its users infringe the '341 patent, that Apple directly infringes the '341 patent, and that its actions would induce and contribute to infringement by Siri Products' users. On information and belief, Apple was at least willfully blind to the facts that the Siri Products and its users infringe the '341 patent, that Apple directly infringes the '341 patent, and that its actions would induce and contribute to infringement by Siri Products' users because: (1) Apple subjectively believed that there was a high probability these facts existed because Apple was served with the original Complaint and made aware of both the '341 patent and Apple's and the Siri Products' users infringement, and (2) Apple took deliberate action to avoid learning of these facts or attempt to avoid infringement upon learning of its and its users' infringement of the '341 patent.

120. Apple has been and is inducing infringement of the '341 patent by actively and knowingly inducing others to make, use, sell, offer for sale, or import Siri Products that include Siri and embody or use the inventions claimed in the '341 patent in violation of 35 U.S.C. § 271(b). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.⁵⁰ Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.⁵¹ Additionally, Apple causes Siri Products to be made available through its own website.⁵² Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.⁵³

⁵⁰ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁵¹ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

⁵² E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁵³ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

121. Apple instructs and encourages users of the Siri Products to infringe the '341 patent. For example, Apple instructs and encourages users to operate the Siri Products such that the products perform a computer-implemented method of facilitating natural language system responses utilizing accumulated short-term and long-term knowledge. The method is implemented by a computer system that includes one or more physical processors executing one or more computer program instructions which, when executed, perform the method.

122. Apple further instructs and encourages users to operate the Siri Products by asking the Siri Products questions for which the Siri Products accumulate, by the computer system, short-term knowledge based on one or more natural language utterances received during a predetermined time period. The computer system expires one or more items of short-term knowledge that are based on one or more natural language utterances received prior to the predetermined time period. The computer system accumulates long-term knowledge based on one or more natural language utterances received prior to the predetermined time period. The long-term knowledge includes at least one of the one or more expired items of short-term knowledge. The computer system receives a first natural language utterance via an input device. The computer system determines, based on the short-term knowledge and the long-term knowledge, a first context for the first natural language utterance. The computer system determines, based on the first context, an interpretation of the first natural language utterance. The computer system generates a first response to the first natural language utterance based on the interpretation.

123. Additional facts showing the Siri Products' and its users' infringement can be found in Exhibit K.

124. On information and belief, Apple knew of or was willfully blind to the '341 patent and the fact that the foregoing induced acts constitute patent infringement.

125. Apple has been and is continuing to contributorily infringe the '341 patent by selling or offering to sell Siri Products, knowing them to be especially made or especially adapted for practicing the invention of the '341 patent and not a staple article or commodity of commerce suitable for substantial non-infringing use in violation of 35 U.S.C. § 271(c). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.⁵⁴ Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.⁵⁵ Additionally, Apple causes Siri Products to be made available through its own website.⁵⁶ Apple also profits from third parties who

⁵⁴ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁵⁵ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

⁵⁶ E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.⁵⁷

126. For some claims of the '341 patent, the Siri Products are a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process. For example, the Siri Products (which includes, for example, Siri apart from other non-Siri hardware and software components) are a component of the patented method claims which recite “accumulating . . . short-term knowledge based on one or more natural language utterances received” from, for example, a user of the Siri Products. As another example, Siri is a component of the ecobee SmartThermostat with Voice Control.⁵⁸ Siri is also a component of various third-party products created by Apple’s app developer community using SiriKit.⁵⁹

127. On information and belief, Apple knew and continues to know that the Siri Products are especially made or especially adapted for practicing the invention of the '341 patent. For example, Apple knew of the '341 patent at least as of the filing of the original Complaint, and Apple knew (or was willfully blind) that the Siri Products are especially made or especially adapted to infringe the claims of the '341 patent. Apple instructs and encourages app developers and third parties to use Siri in its products, despite knowing that Siri infringes the '341 patent. Apple also sells and offers for sale Siri Products on its own website. Apple also profits from third parties who sell Siri Products. Apple also provides technical support for users to use the Siri Products to infringe the '341 patent.

⁵⁷ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

⁵⁸ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>.

⁵⁹ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

128. Apple knew and continues to know that the Siri Products are not a staple article or commodity of commerce suitable for substantial non-infringing use. The claims of the '341 patent recite, among other elements, accumulating, by the computer system, short-term knowledge based on one or more natural language utterances received during a predetermined time period and the computer system performing additional tasks to generate a response. Likewise, Siri “[e]mpower[s] users to interact with their devices through voice, intelligent suggestions, and personalized workflows.”⁶⁰ At least as of the filing of the original Complaint, Apple knew of the '341 patent and that the Siri Products were not a staple article or commodity of commerce suitable for non-infringing use.

129. VoiceBox and its predecessors-in-interest have satisfied the marking requirements of 35 U.S.C. § 287 with respect to the '341 patent to the extent that any patented article is subject to a duty to mark.

130. Apple’s infringement has been, and continues to be knowing, intentional, and willful. On information and belief, Apple has known of the existence of the '341 patent, and its acts of infringement have been willful and in disregard for the '341 patent, without any reasonable basis for believing that it had a right to engage in the infringing conduct.

131. Apple’s acts of infringement of the '341 patent have caused and will continue to cause VoiceBox damages for which VoiceBox is entitled to compensation pursuant to 35 U.S.C. § 284.

132. This case is exceptional and, therefore, VoiceBox is entitled to an award of attorney’s fees pursuant to 35 U.S.C. § 285.

⁶⁰ E.g., <https://developer.apple.com/documentation/sirikit/>; see <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

COUNT 5: INFRINGEMENT OF THE '176 PATENT

133. VoiceBox realleges and incorporates the allegations of the preceding paragraphs of this complaint as though fully stated herein.

134. Apple has and continues to infringe the '176 patent by making, using, selling, offering for sale, and/or importing into the United States, Siri Products, which embody or use the inventions of the '176 patent in violation of 35 U.S.C. § 271(a). Exemplary evidence and an exemplary chart mapping an exemplary claim (claim 27) to Siri Products can be found in **Exhibit L**. VoiceBox anticipates identifying additional asserted claims in accordance with the case schedule and its discovery obligations.

135. On information and belief, Apple knew of the existence of the '176 patent by sometime in or around July 2012 or before. Around this time, the '176 patent had already issued, Apple had been offering Siri Products, and Apple had offered to buy or license the '176 patent and family members from VoiceBox's predecessor VoiceBox Technologies. On information and belief, in or around July 2012, Apple knew that the Siri Products infringe the '176 patent, that Apple directly infringes the '176 patent, and that its actions would induce and contribute to infringement by Siri Products' users. On information and belief, the negotiations between Apple and VoiceBox Technologies included discussions of both the VoiceBox Patents (including the '176 patent) and the Siri Products (including its voice recognition and assistant technology and its users' use thereof). On information and belief, before or during the negotiations to buy or license the VoiceBox Patents (including the '176 patent), Apple conducted due diligence of the VoiceBox Patents and the Siri Products and its users' use thereof and determined that the Siri Products and its users infringe at least the '176 patent. On information and belief, through its due diligence, Apple became very familiar with VoiceBox Technologies and its business and the VoiceBox

Patents (including the '176 patent). On information and belief, the Siri technology was Apple's only voice recognition and assistant technology it commercialized at the time of the negotiations. Apple continued its negotiations for the VoiceBox Patents because, on information and belief, its due diligence revealed that the Siri Products and its users infringe at least the '176 patent. On information and belief, Apple was at least willfully blind to the facts that the Siri Products infringe the '176 patent, that Apple directly infringes the '176 patent, and that its actions would induce and contribute to infringement by Siri Products' users because: (1) Apple subjectively believed that there was a high probability these facts existed because Apple was investigating and analyzing the '176 patent and its family members for purchase or license; and (2) Apple took deliberate action to avoid learning of these facts and discussing them during the negotiations for the VoiceBox Patents. Apple continued to negotiate for the VoiceBox Patents spanning a period of years.

136. Additionally, Apple has actual notice that the Siri Products and its users infringe the '176 patent at least as of the date of the filing of the original Complaint. Since no later than that date, Apple has known or been willfully blind to the facts that the Siri Products and its users infringe the '176 patent, that Apple directly infringes the '176 patent, and that its actions would induce and contribute to infringement by Siri Products' users.

137. Apple has been and is inducing infringement of the '176 patent by actively and knowingly inducing others to make, use, sell, offer for sale, or import Siri Products that include Siri and embody or use the inventions claimed in the '176 patent in violation of 35 U.S.C. § 271(b). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an

infringing manner.⁶¹ Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.⁶² Additionally, Apple causes Siri Products to be made available through its own website.⁶³ Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.⁶⁴

138. Apple instructs and encourages users of the Siri Products to infringe the '176 patent. For example, Apple instructs and encourages users to operate the Siri Products such that the products receive a natural language utterance containing at least one request at an input device, such as "Siri, play music," "Siri, I want to watch an action movie," "Siri, I want to watch Apple

⁶¹ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGfFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

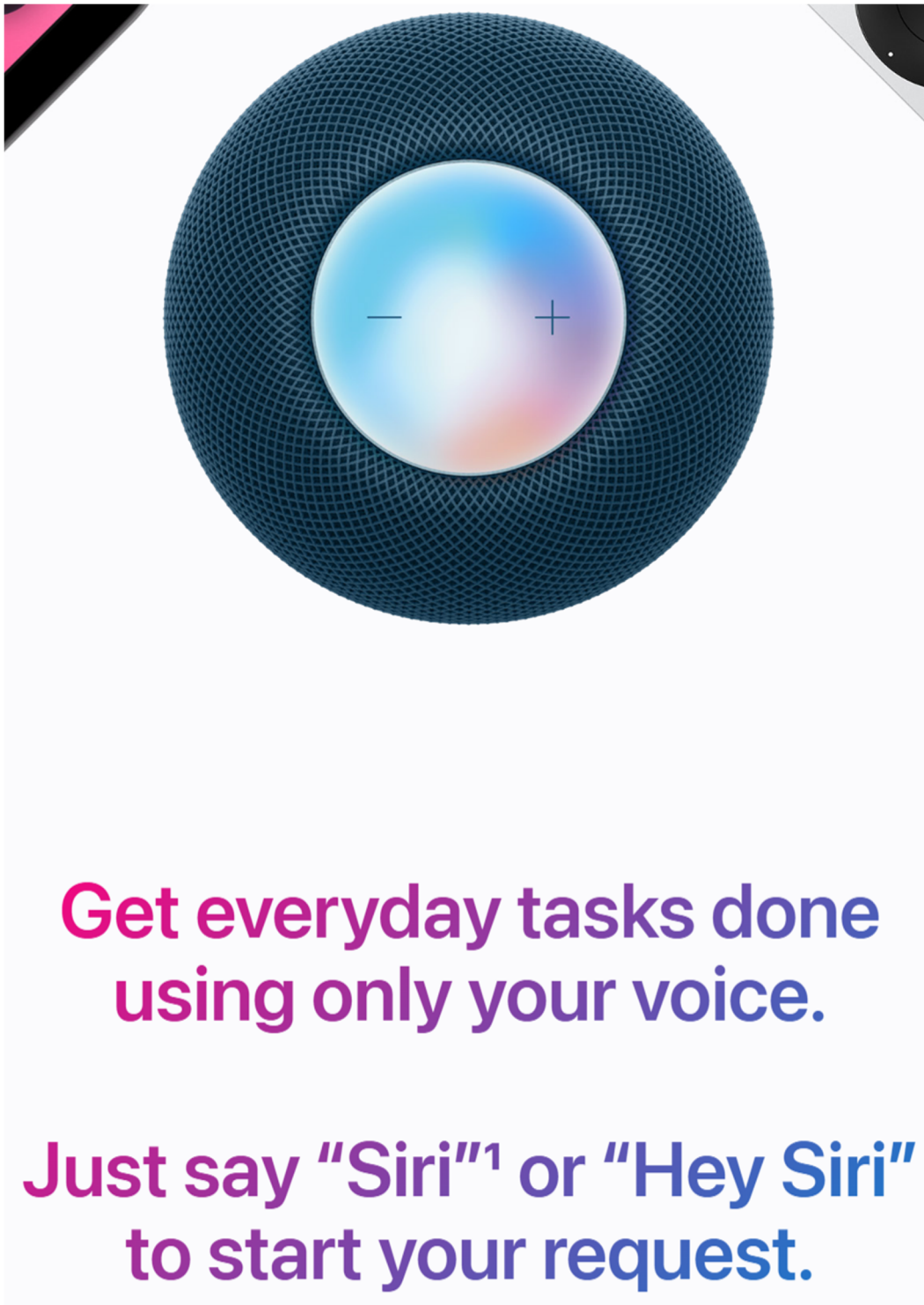
⁶² E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

⁶³ E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁶⁴ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

TV+,” “Siri, I want an app for editing music,” “Siri, I want to watch a comedy show,” “Siri, show me some news,” and other Siri-based phrases.⁶⁵

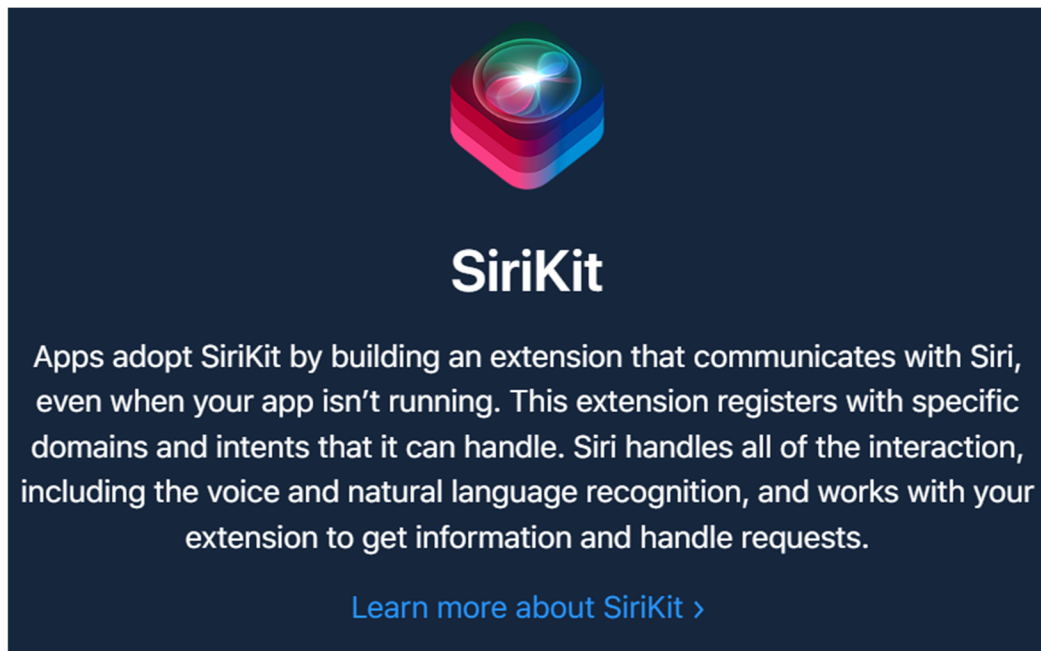
⁶⁵ *E.g.*, <https://www.apple.com/siri/>; <https://developer.apple.com/siri/>; <https://machinelearning.apple.com/research/hey-siri>; <https://machinelearning.apple.com/research/voice-trigger>; <https://machinelearning.apple.com/research/personalized-hey-siri>.



**Get everyday tasks done
using only your voice.**

**Just say "Siri"¹ or "Hey Siri"
to start your request.**

<https://www.apple.com/siri/>.

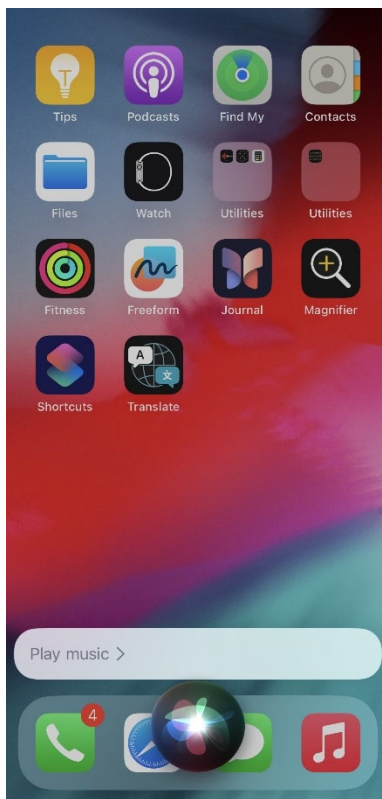


<https://developer.apple.com/siri/>.

The "Hey Siri" feature allows users to invoke Siri hands-free. A very small speech recognizer runs all the time and listens for just those two words. When it detects "Hey Siri", the rest of Siri parses the following speech as a command or query. The "Hey Siri" detector uses a Deep Neural Network (DNN) to convert the acoustic pattern of your voice at each instant into a probability distribution over speech sounds. It then uses a temporal integration process to compute a confidence score that the phrase you uttered was "Hey Siri". If the score is high enough, Siri wakes up. This article takes a look at the underlying technology. It is aimed primarily at readers who know something of machine learning but less about speech recognition.

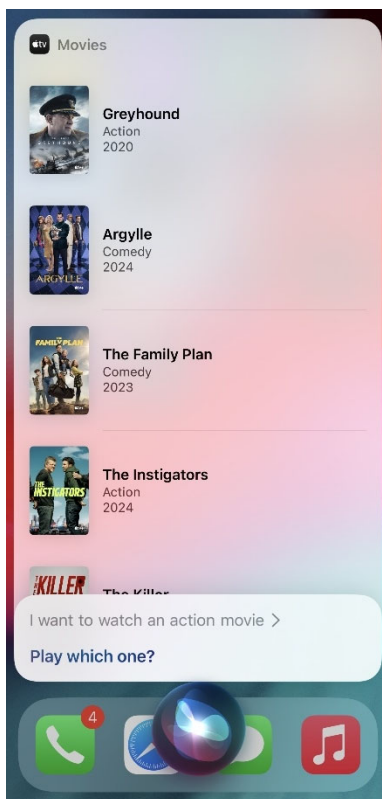
<https://machinelearning.apple.com/research/hey-siri>.

139. As one example, the Siri Products can receive a natural language utterance requesting to play music.



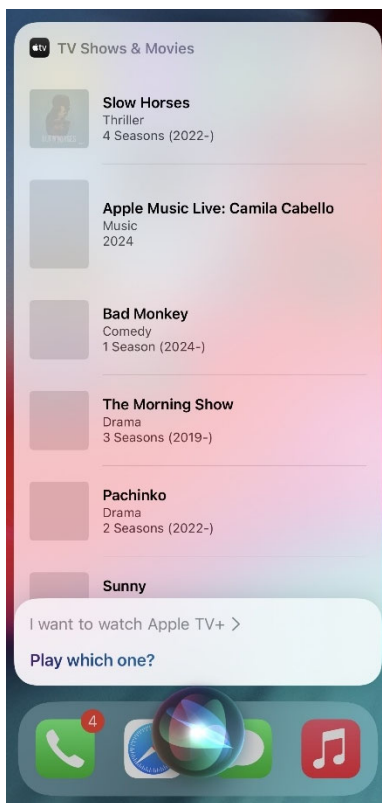
Screenshot taken on a Siri Product.

140. As another example, the Siri Products can receive a natural language utterance requesting to watch an action movie.



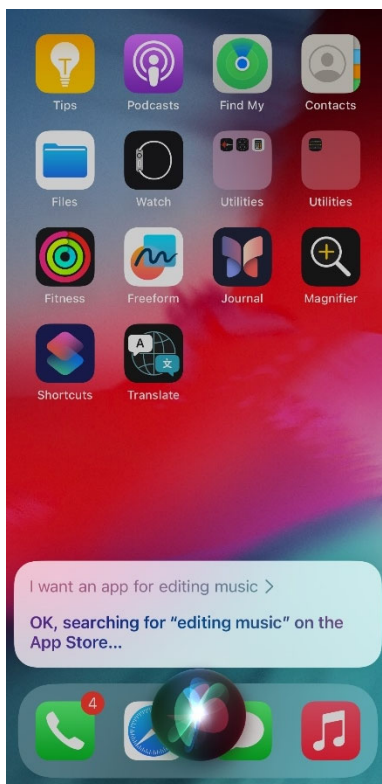
Screenshot taken on a Siri Product.

141. As another example, the Siri Products can receive a natural language utterance requesting to watch Apple TV+.



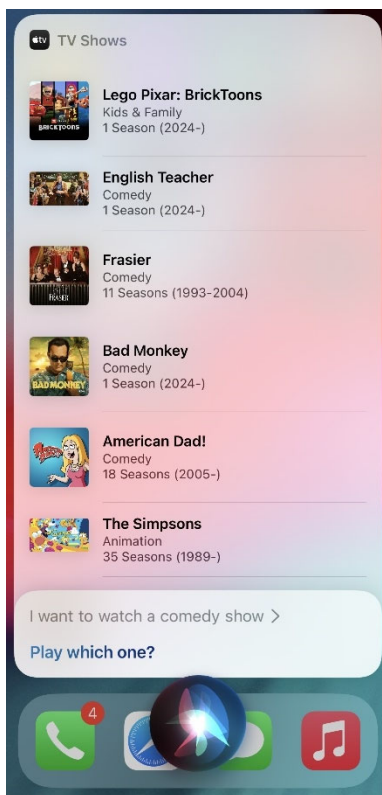
Screenshot taken on a Siri Product.

142. As another example, the Siri Products can receive a natural language utterance requesting an app for editing music.



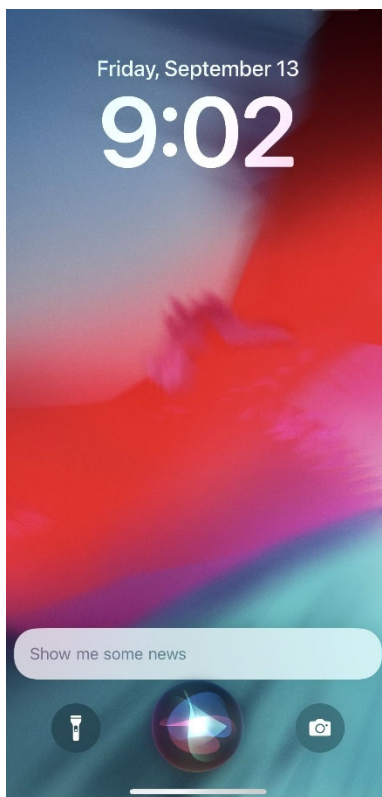
Screenshot taken on a Siri Product.

143. As another example, the Siri Products can receive a natural language utterance requesting to watch a comedy show.



Screenshot taken on a Siri Product.

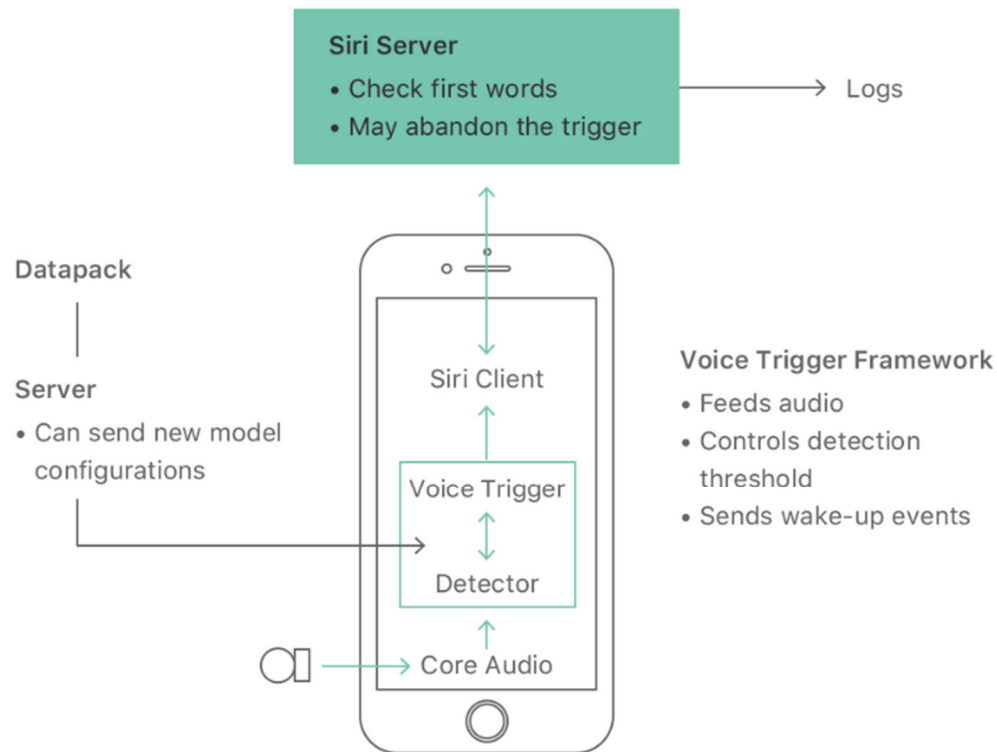
144. As another example, the Siri Products can receive a natural language utterance requesting to show some news.



Screenshot taken on a Siri Product.

145. The Siri Products further recognize one or more words or phrases in the natural language utterance at a speech recognition engine coupled to the input device.⁶⁶

⁶⁶ E.g., <https://machinelearning.apple.com/research/hey-siri>; <https://arxiv.org/pdf/1908.11404>; <https://machinelearning.apple.com/research/optimizing-siri-on-homepod-in-far-field-settings>.

Figure 1. The Hey Siri flow on iPhone

Being able to use Siri without pressing buttons is particularly useful when hands are busy, such as when cooking or driving, or when using the Apple Watch. As Figure 1 shows, the whole system has several parts. Most of the implementation of Siri is "in the Cloud", including the main automatic speech recognition, the natural language interpretation and the various information services. There are also servers that can provide updates to the acoustic models used by the detector. This article concentrates on the part that runs on your local device, such as an iPhone or Apple Watch. In particular, it focusses on the detector: a specialized speech recognizer which is always listening just for its wake-up phrase (on a recent iPhone with the "Hey Siri" feature enabled).

<https://machinelearning.apple.com/research/hey-siri>.

1. Introduction

In Figure 1 we show the workflow of Siri, a typical speech or text-driven intelligent personal assistant.

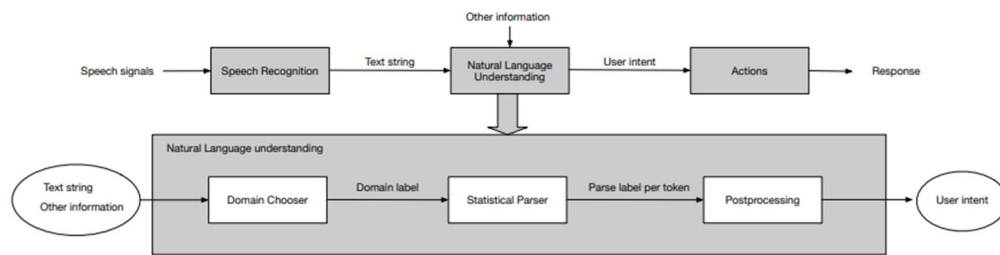


Figure 1: Simplified work flow of Siri.

<https://arxiv.org/pdf/1908.11404>.

The aim of the multichannel signal processing system is to extract one of the speech sources in s_k by removing echo, reverberation, noise, and competing talkers to improve intelligibility. Figure 1 shows an overview of our system.

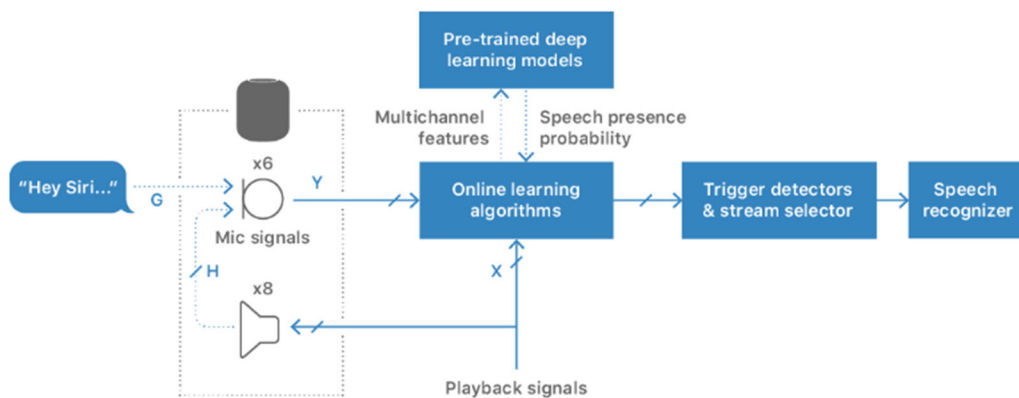


Figure 1. Block diagram of the online multichannel signal processing chain on HomePod for Siri.

<https://machinelearning.apple.com/research/optimizing-siri-on-homepod-in-far-field-settings>.

146. As part of recognizing the words or phrases in the natural language utterance, the Siri Products map a stream of phonemes contained in the natural language utterance to one or more syllables that are phonemically represented in an acoustic grammar.⁶⁷

Algorithm

The Siri ASR system uses a weighted finite state transducer (WFST)-based decoder, as first described by Paulik [3]. The decoder employs the difference LM principle, similar to frameworks described in [4,5].

<https://machinelearning.apple.com/research/regionally-specific-language-models>.

Users expect Siri speech recognition to work well regardless of language, device, acoustic environment, or communication channel bandwidth. Like many other supervised machine learning tasks, achieving such high accuracy usually requires large amounts of labeled data. Whenever we launch Siri in a new language, or extend support to different audio channel bandwidths, we face the challenge of having enough data to train our acoustic models. In this article, we discuss transfer learning techniques that leverage data from acoustic models already in production. We show that the representations are transferable not only across languages but also across audio channel bandwidths. As a case study, we focus on recognizing narrowband audio over 8 kHz Bluetooth headsets in new Siri languages. Our techniques help to improve significantly Siri's accuracy on the day we introduce a new language.

⁶⁷ E.g., <https://machinelearning.apple.com/research/regionally-specific-language-models>; <https://machinelearning.apple.com/research/cross-initialization>; https://www.isca-archive.org/interspeech_2015/paulik15_interspeech.pdf; <https://machinelearning.apple.com/research/ctc-based>.

In mid 2014 we launched a new speech recognition engine for Siri using deep neural networks (DNN). First introduced in US English, we expanded this engine to 13 languages by mid 2015. To expand successfully, we had to tackle the problem of building high-quality acoustic models using the limited amounts of transcribed data that could be collected before launch. This was true for wideband audio, e.g., collected over iPhone microphones, but even more so for the narrowband audio collected through Bluetooth headsets.

<https://machinelearning.apple.com/research/cross-initialization>.

ASR systems generally comprise two major components:

- An acoustic model, which captures the relationship between acoustic properties of speech and sequences of linguistic units, like speech sounds or words
- A language model (LM), which determines the prior probability that a certain sequence of words occurs in a particular language

<https://machinelearning.apple.com/research/regionally-specific-language-models>.

The accuracy of automatic speech recognition (ASR) systems has improved phenomenally over recent years, due to the widespread adoption of deep learning techniques. Performance improvements have, however, mainly been made in the recognition of general speech; whereas accurately recognizing named entities, like small local businesses, has remained a performance bottleneck. This article describes how we met that challenge, improving Siri's ability to recognize names of local POIs by incorporating knowledge of the user's location into our speech recognition system. Customized language models that take the user's location into account are known as *geolocation-based language models* (Geo-LMs). These models enable Siri to better estimate the user's intended sequence of words by using not only the information provided by the acoustic model and a general LM (like in standard ASR) but also information about the POIs in the user's surroundings.

<https://machinelearning.apple.com/research/regionally-specific-language-models>.

It is well known that beam pruning interacts with word and phone transitions due to the associated fan-out at such transition points. A stronger transition model (TM) might help to reduce confusion about when to cross into a new phone as opposed to staying within the current phone. To this end, we propose the incorporation of a simple transition model directly into the DNN acoustic model. We are not aware of any previous work that attempts anything similar. We incorporate the transition model into the DNN acoustic model by adding a small number (four) of output targets to the DNN and dividing the output layer during training into two regions, one corresponding to the clustered tri-phone state targets and one corresponding to the aforementioned four transition model targets. This approach hardly increases the total amount of parameters in our DNN at all – the total parameter size increase is less than 0.017%. More details on the proposed transition model are given in Section 4. Adding the transition model to the DNN acoustic model yields another significant improvement in RTF, because of favorable pruning effects.

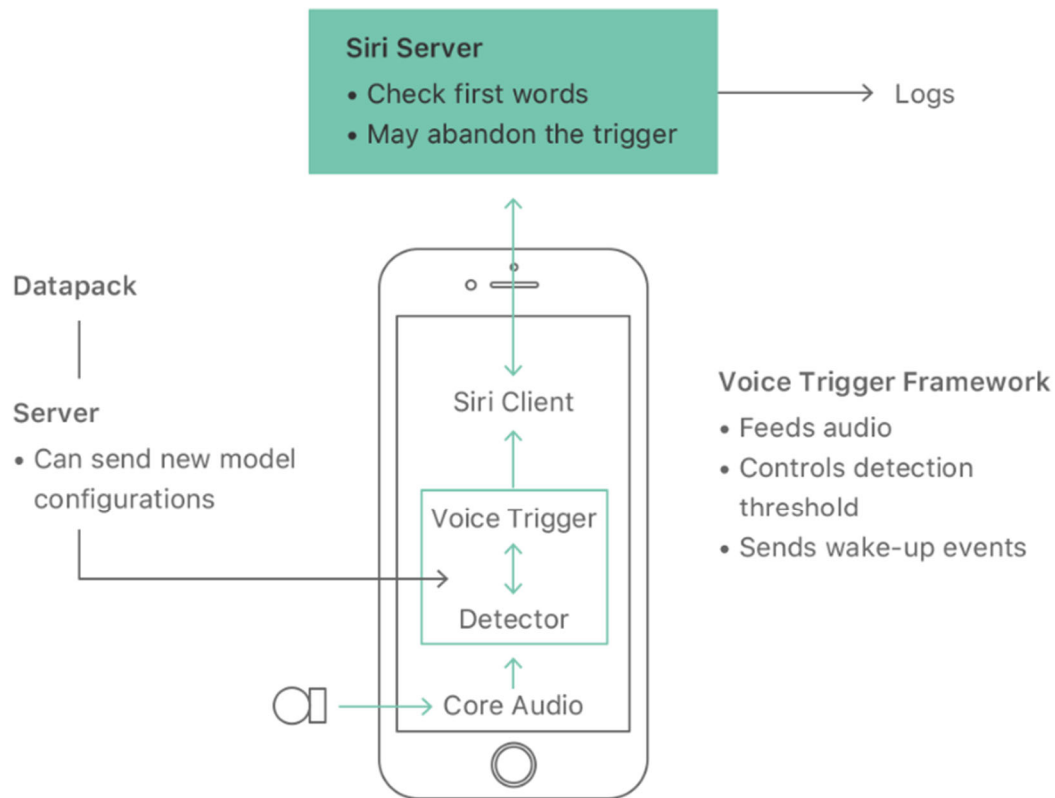
https://www.isca-archive.org/interspeech_2015/paulik15_interspeech.pdf.

Recent advances in deep learning and automatic speech recognition have boosted the accuracy of end-to-end speech recognition to a new level. However, recognition of personal content, such as contact names, remains a challenge. In this work, we present a personalization solution for an end-to-end system based on connectionist temporal classification. Our solution uses a class-based language model, in which a general language model provides modeling of the context for named entity classes, and personal named entities are compiled in a separate finite state transducer. We further introduce a phoneme-to-wordpiece model to map rare named entities to more frequent homophonic wordpieces, and also wordpiece prior normalization to bias for rare wordpieces, leading to another 48.9% relative improvement in personal named entity accuracy on top of an already personalized baseline. This work allows our systems to match highly competitive personalized hybrid systems on personal named entity recognition.

<https://machinelearning.apple.com/research/ctc-based>.

147. As part of recognizing the words or phrases in the natural language utterance, the Siri Products generate a preliminary interpretation for the natural language utterance from the one or more syllables, wherein the preliminary interpretation generated from the one or more syllables includes the recognized words or phrases.⁶⁸

⁶⁸ E.g., <https://machinelearning.apple.com/research/hey-siri>; <https://machinelearning.apple.com/research/regionally-specific-language-models>; <https://arxiv.org/pdf/1908.11404>; <https://www.youtube.com/watch?v=RXeOiIDNNek&t=3870s>.

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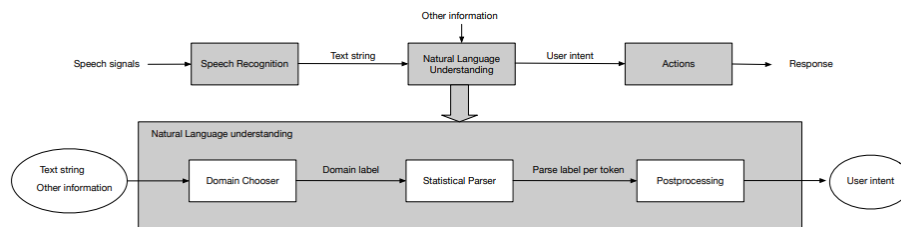
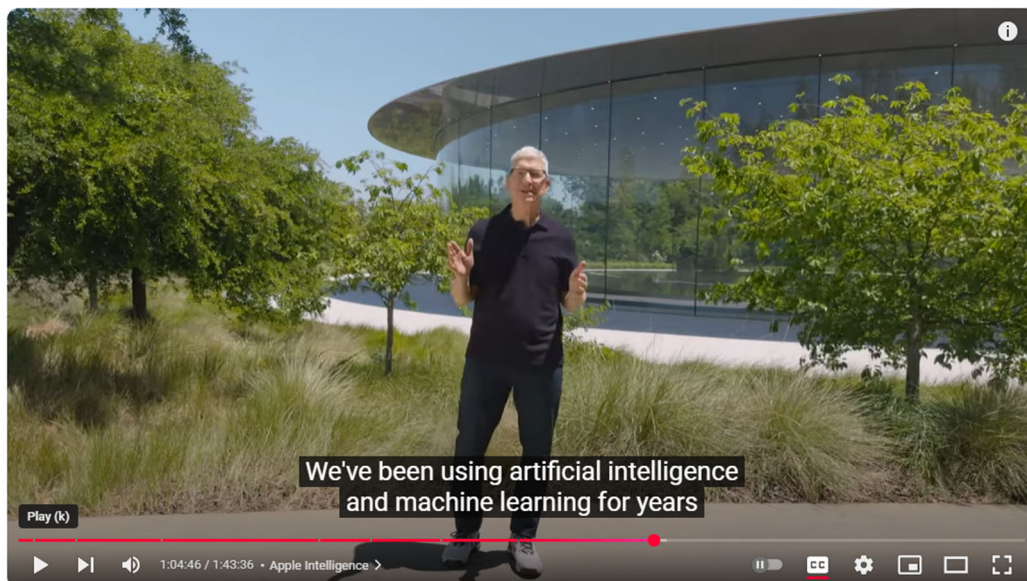


Figure 1: Simplified work flow of Siri.

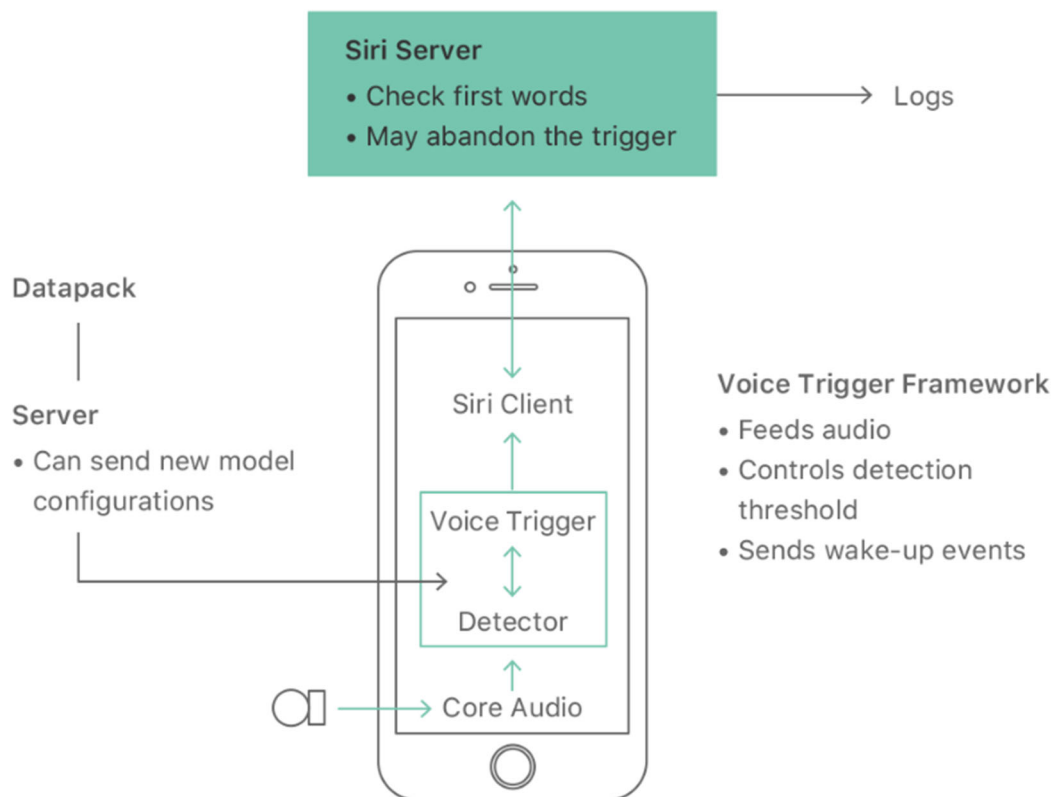
<https://arxiv.org/pdf/1908.11404>.



<https://www.youtube.com/watch?v=RXeOiIDNNek&t=3870s>.

148. The Siri Products further interpret the recognized words or phrases at a conversational language processor coupled to the speech recognition engine, wherein interpreting the recognized words or phrases includes establishing a context for the natural language utterance.⁶⁹

Figure 1. The Hey Siri flow on iPhone



⁶⁹ E.g., <https://machinelearning.apple.com/research/hey-siri>; <https://arxiv.org/pdf/1908.11404>; <https://www.youtube.com/watch?v=RXeOiIDNNek&t=3870s>.

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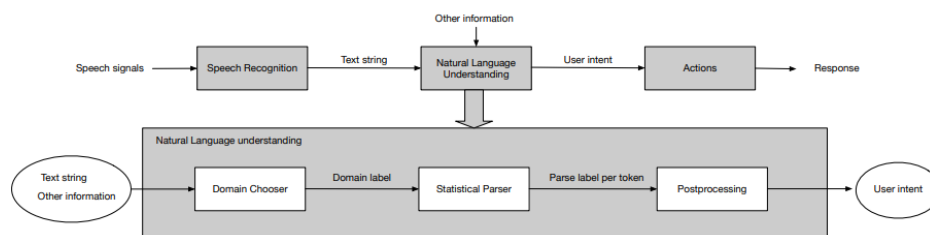
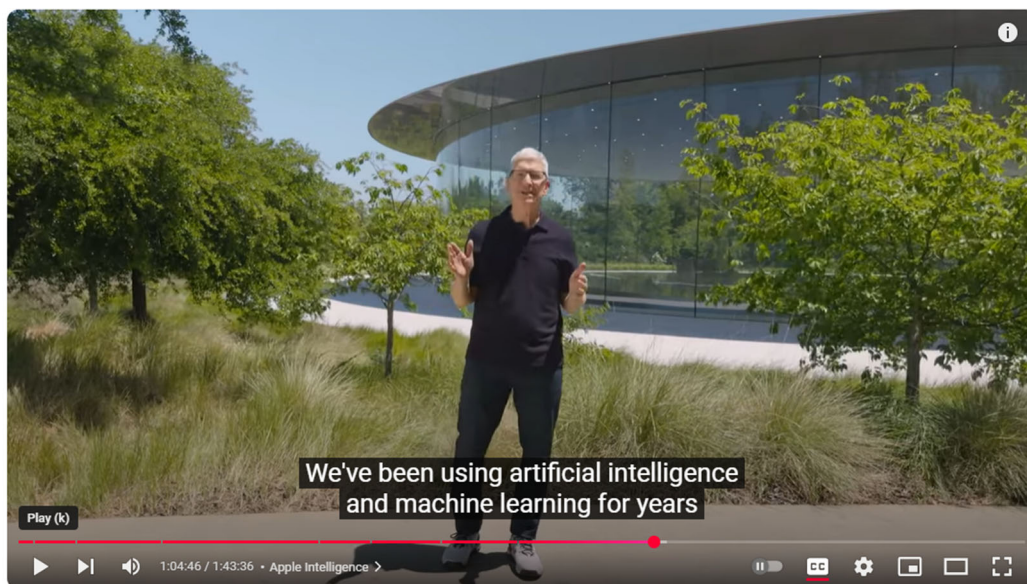
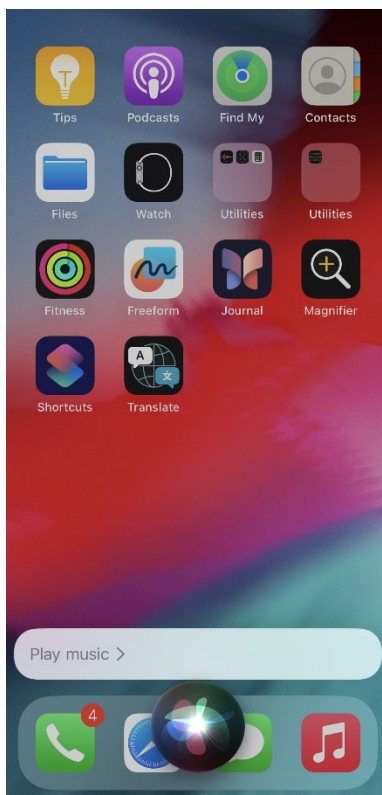


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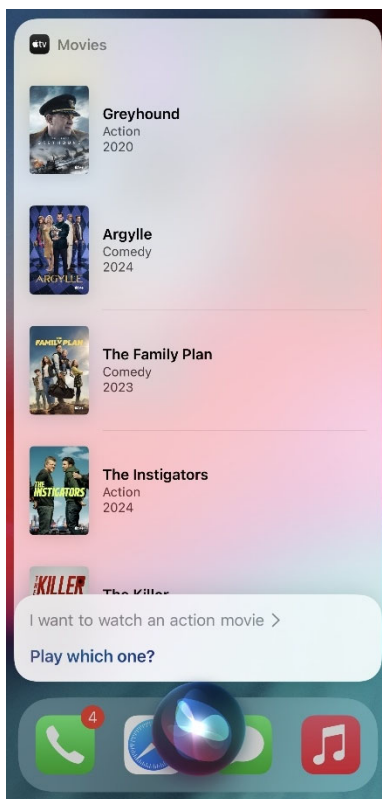
<https://arxiv.org/pdf/1908.11404>.



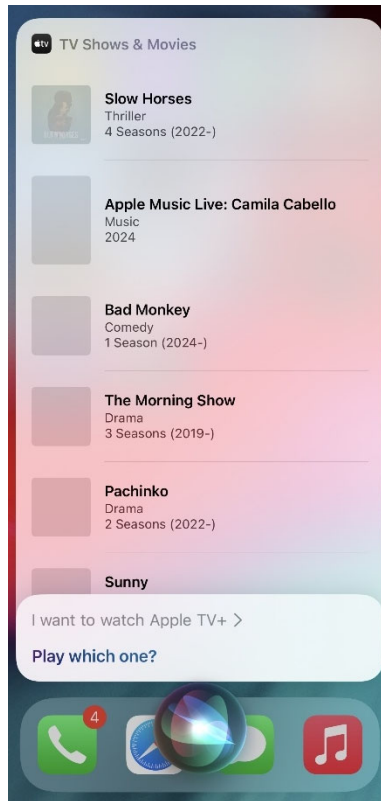
<https://www.youtube.com/watch?v=RXeOiIDNNek&t=3870s>.



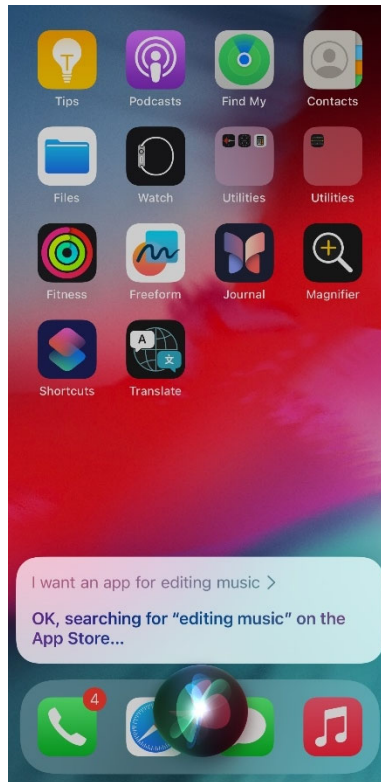
Screenshot taken on a Siri Product for the natural language utterance "Siri, play music."



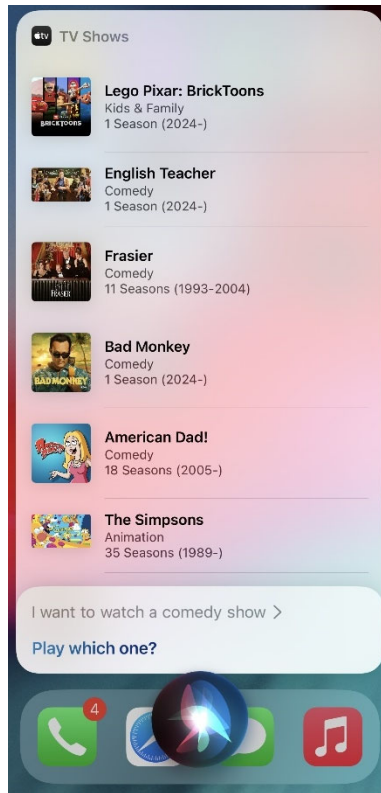
Screenshot taken on a Siri Product for the natural language utterance “Siri, I want to watch an action movie.”



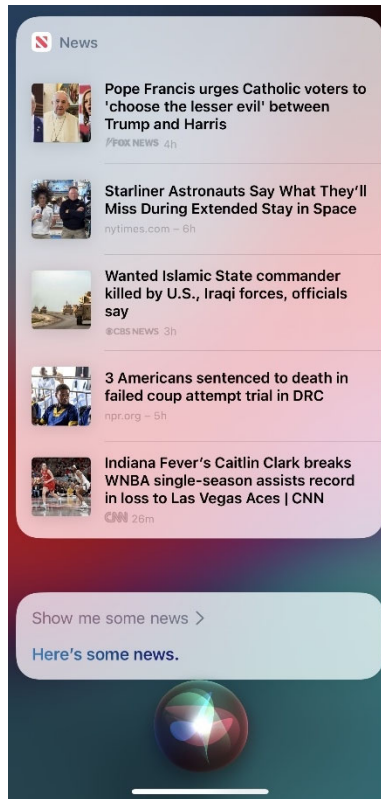
Screenshot taken on a Siri Product for the natural language utterance “Siri, I want to watch Apple TV+.”



Screenshot taken on a Siri Product for the natural language utterance “Siri, I want an app for editing music.”

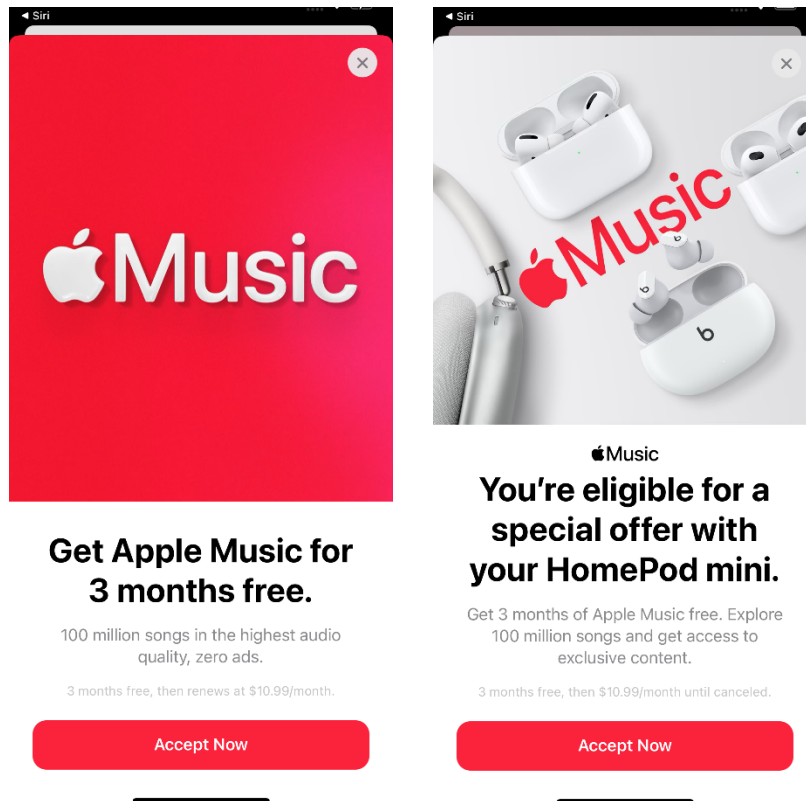


Screenshot taken on a Siri Product for the natural language utterance “Siri, I want to watch a comedy show.”

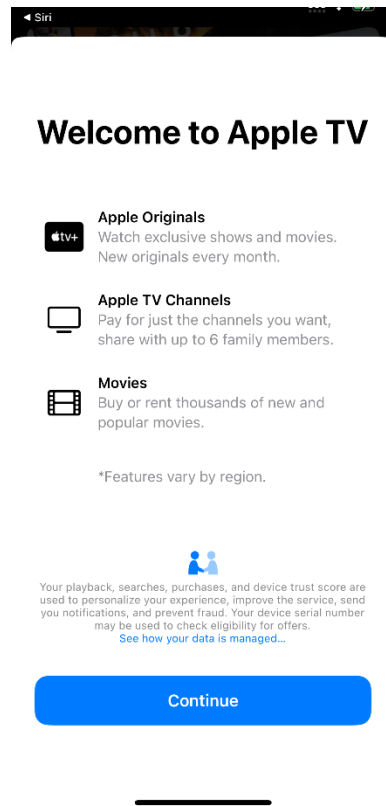
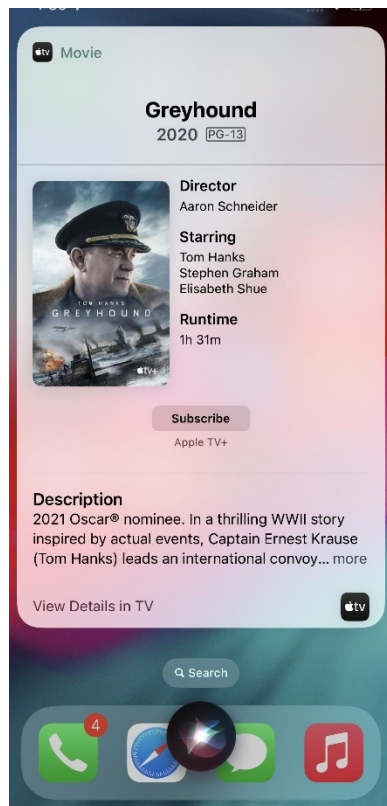
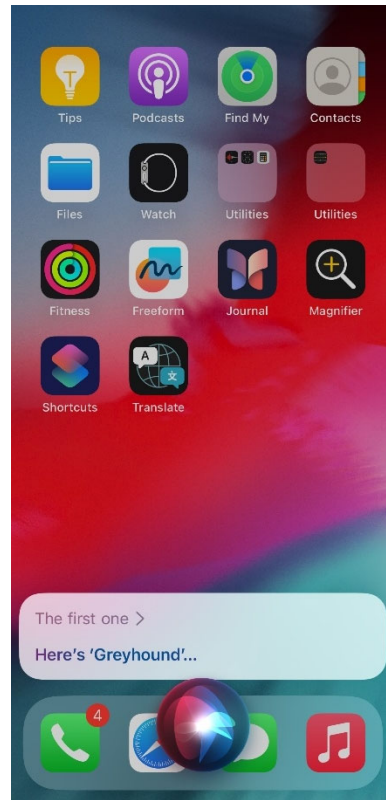


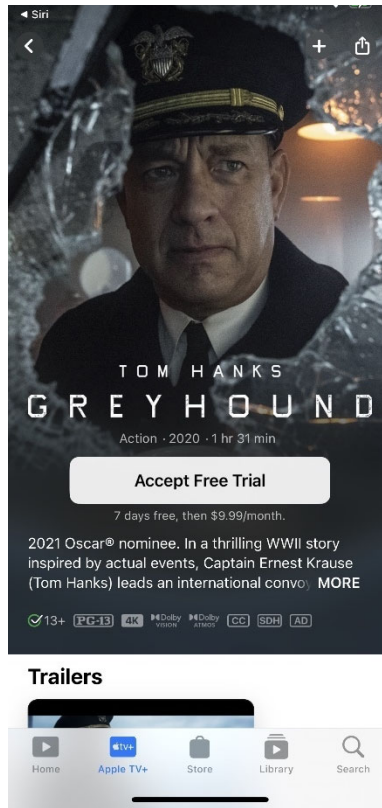
Screenshot taken on a Siri Product for the natural language utterance “Siri, show me some news.”

149. The Siri Products further select an advertisement in the context established for the natural language utterance and present the selected advertisement via an output device coupled to the conversational language processor.

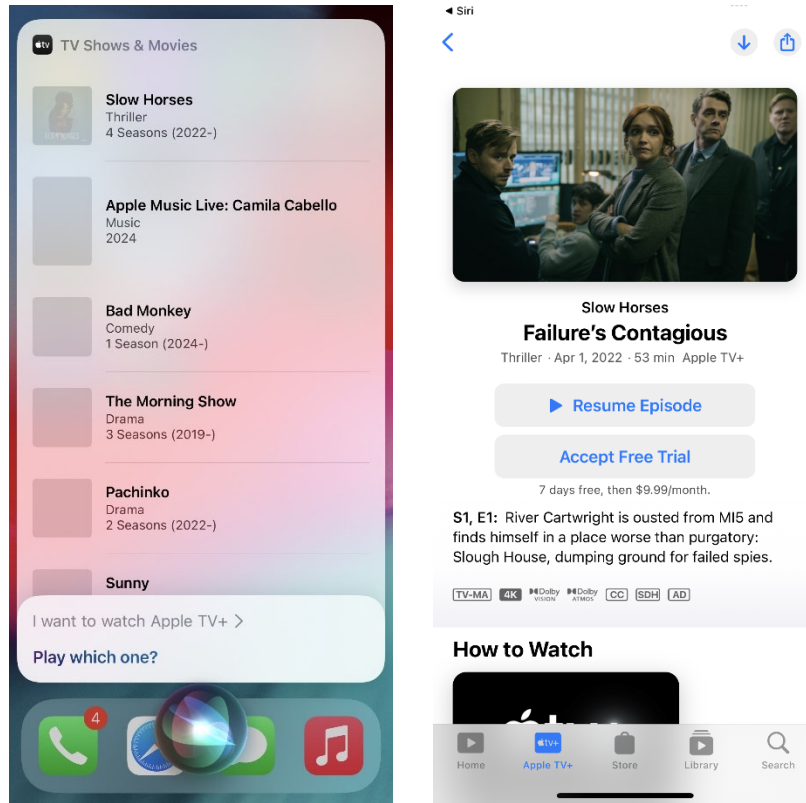


Screenshot taken on a Siri Product for the natural language utterance “Siri, play music” with an advertisement selected in the context established for the natural language utterance and presented via an output device coupled to the conversational language processor.

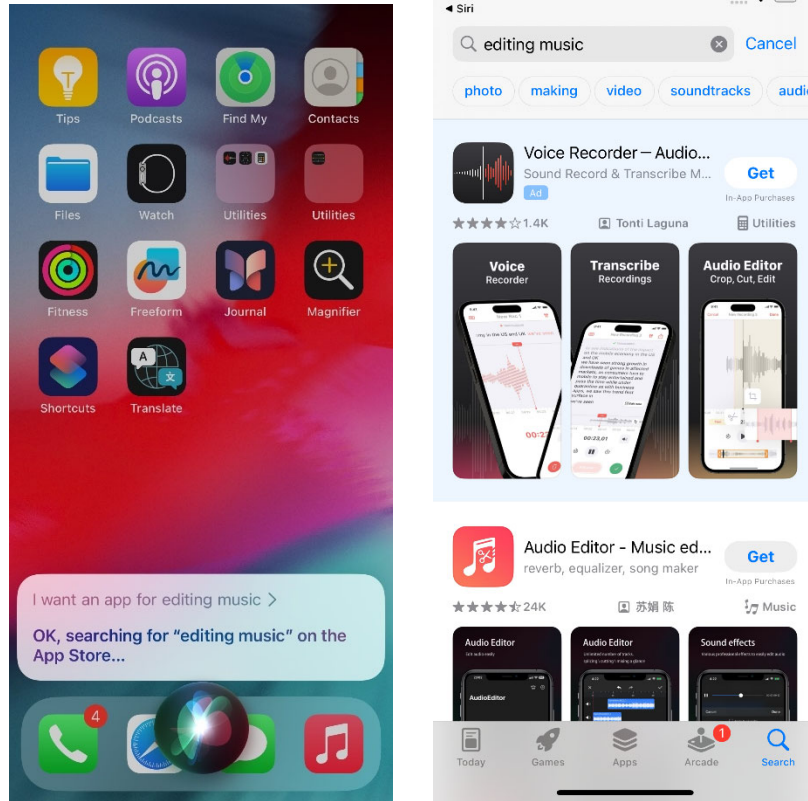




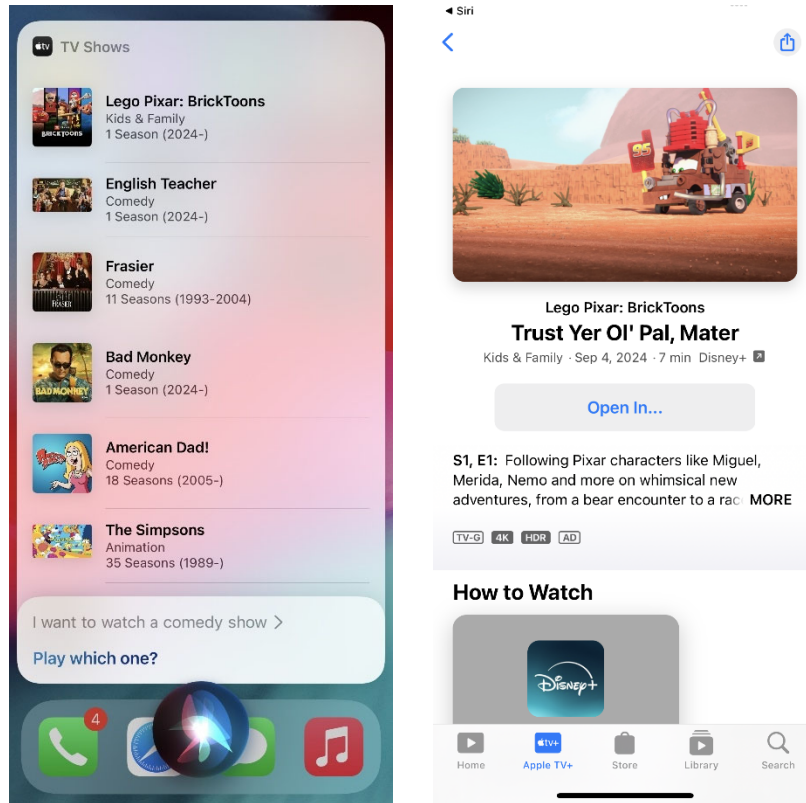
Screenshot taken on a Siri Product for the natural language utterance “Siri, I want to watch an action movie” with an advertisement selected in the context established for the natural language utterance and presented via an output device coupled to the conversational language processor.



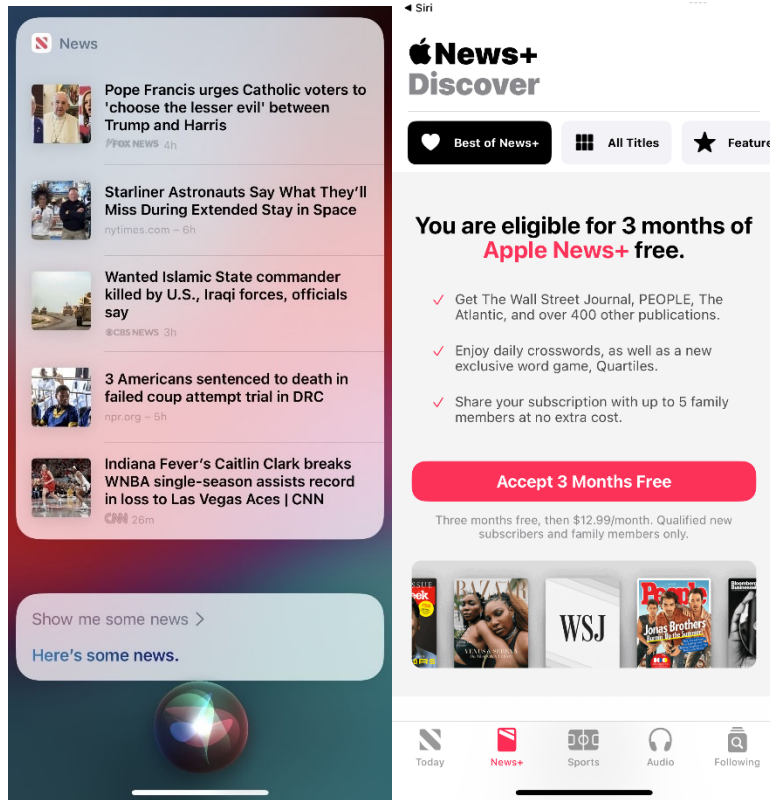
Screenshot taken on a Siri Product for the natural language utterance “Siri, I want to watch Apple TV+” with an advertisement selected in the context established for the natural language utterance and presented via an output device coupled to the conversational language processor.



Screenshot taken on a Siri Product for the natural language utterance “Siri, I want an app for editing music” with an advertisement selected in the context established for the natural language utterance and presented via an output device coupled to the conversational language processor.



Screenshot taken on a Siri Product for the natural language utterance “Siri, I want to watch a comedy show” with an advertisement selected in the context established for the natural language utterance and presented via an output device coupled to the conversational language processor.



Screenshot taken on a Siri Product for the natural language utterance “Siri, show me some news” with an advertisement selected in the context established for the natural language utterance and presented via an output device coupled to the conversational language processor.

150. Additional exemplary evidence is found in Exhibit L.

151. On information and belief, Apple knew of or was willfully blind to the ’176 patent and the fact that the foregoing induced acts constitute patent infringement.

152. Apple has been and is continuing to contributorily infringe the ’176 patent by selling or offering to sell Siri Products, knowing them to be especially made or especially adapted for practicing the invention of the ’176 patent and not a staple article or commodity of commerce suitable for substantial non-infringing use in violation of 35 U.S.C. § 271(c). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices

such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.⁷⁰

Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.⁷¹ Additionally, Apple causes Siri Products to be made available through its own website.⁷² Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.⁷³

153. For some claims of the '176 patent, the Siri Products are a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process. For example, the Siri Products (which includes, for example, Siri apart from other non-Siri hardware and software components) are a component of the patented method claims

⁷⁰ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁷¹ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

⁷² E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁷³ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

which recite “receiving a natural language utterance” from, for example, a user of the Siri Products. As another example, Siri is a component of the ecobee SmartThermostat with Voice Control.⁷⁴ Siri is also a component of various third-party products created by Apple’s app developer community using SiriKit.⁷⁵

154. On information and belief, Apple knew and continues to know that the Siri Products are especially made or especially adapted for practicing the invention of the ’176 patent. For example, Apple knew of the ’176 patent during its negotiations with VoiceBox Technologies to buy or license the VoiceBox Patents, and Apple knew (or was willfully blind) that the Siri Products are especially made or especially adapted to infringe the claims of the ’176 patent. Apple instructs and encourages app developers and third parties to use Siri in its products, despite knowing that Siri infringes the ’176 patent. Apple also sells and offers for sale Siri Products on its own website. Apple also profits from third parties who sell Siri Products. Apple also provides technical support for users to use the Siri Products to infringe the ’176 patent.

155. Apple knew and continues to know that the Siri Products are not a staple article or commodity of commerce suitable for substantial non-infringing use. The claims of the ’176 patent recite, among other elements, an input device that receives a natural language utterance, a speech recognition engine coupled to the input device, and a conversational language processor coupled to the speech recognition engine that perform tasks to present an advertisement via an output device. Likewise, Siri “[e]mpower[s] users to interact with their devices through voice, intelligent

⁷⁴ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>.

⁷⁵ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

suggestions, and personalized workflows.”⁷⁶ On information and belief, during its negotiations with VoiceBox Technologies to buy or license the VoiceBox Patents, Apple knew of the ’176 patent and that the Siri Products were not a staple article or commodity of commerce suitable for non-infringing use.

156. VoiceBox and its predecessors-in-interest have satisfied the marking requirements of 35 U.S.C. § 287 with respect to the ’176 patent to the extent that any patented article is subject to a duty to mark.

157. Apple’s infringement has been, and continues to be knowing, intentional, and willful. On information and belief, Apple has known of the existence of the ’176 patent, and its acts of infringement have been willful and in disregard for the ’176 patent, without any reasonable basis for believing that it had a right to engage in the infringing conduct.

158. Apple’s acts of infringement of the ’176 patent have caused and will continue to cause VoiceBox damages for which VoiceBox is entitled to compensation pursuant to 35 U.S.C. § 284.

159. This case is exceptional and, therefore, VoiceBox is entitled to an award of attorney’s fees pursuant to 35 U.S.C. § 285.

COUNT 6: INFRINGEMENT OF THE ’536 PATENT

160. VoiceBox realleges and incorporates the allegations of the preceding paragraphs of this complaint as though fully stated herein.

161. Apple, on its own or by conduct attributable to Apple, has and continues to infringe the ’536 patent by making, using, selling, offering for sale, and/or importing into the United States,

⁷⁶ E.g., <https://developer.apple.com/documentation/sirikit/>; see <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

Siri Products, which embodies or uses the inventions of the '536 patent in violation of 35 U.S.C. § 271(a). Exemplary evidence and an exemplary chart mapping an exemplary claim (claim 43) to Siri Products can be found in **Exhibit M**. VoiceBox anticipates identifying additional asserted claims in accordance with the case schedule and its discovery obligations.

162. On November 11, 2014, the '536 patent issued in the '176 patent family claiming priority to the '176 patent. Apple has actual notice that the Siri Products and its users infringe the '536 patent at least as of the date of the filing of the original Complaint. Since no later than that date, Apple has known or been willfully blind to the facts that the Siri Products and its users infringe the '536 patent, that Apple directly infringes the '536 patent, and that its actions would induce and contribute to infringement by Siri Products' users. On information and belief, Apple was at least willfully blind to the facts that the Siri Products and its users infringe the '536 patent, that Apple directly infringes the '536 patent, and that its actions would induce and contribute to infringement by Siri Products' users because: (1) Apple subjectively believed that there was a high probability these facts existed because Apple was served with the original Complaint and made aware of both the '536 patent and Apple's and the Siri Products' users infringement, and (2) Apple took deliberate action to avoid learning of these facts or attempt to avoid infringement upon learning of its and its users' infringement of the '536 patent.

163. Apple has been and is inducing infringement of the '536 patent by actively and knowingly inducing others to make, use, sell, offer for sale, or import Siri Products that include Siri and embody or use the inventions claimed in the '536 patent in violation of 35 U.S.C. § 271(b). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an

infringing manner.⁷⁷ Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.⁷⁸ Additionally, Apple causes Siri Products to be made available through its own website.⁷⁹ Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.⁸⁰

164. Apple instructs and encourages users of the Siri Products to infringe the '536 patent. For example, Apple instructs and encourages users to operate the Siri Products such that the products perform a computer-implemented method of providing promotional content related to one or more natural language utterances and/or responses. The method is implemented by a

⁷⁷ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁷⁸ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

⁷⁹ E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁸⁰ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

computer system that includes one or more physical processors executing one or more computer program instructions which, when executed, perform the method.

165. The one or more physical processors receive a first natural language utterance. The one or more physical processors provide a response to the first natural language utterance. The one or more physical processors receive a second natural language utterance relating to the first natural language utterance. The one or more physical processors identify requests associated with the second natural language utterance. The requests include a first request to be processed by a first device associated with a user and a second request to be processed by a second device associated with the user. The one or more physical processors determine promotional content that relates to one or more of the first request or the second request. The one or more physical processors presents the promotional content to the user.

166. Additional facts showing the Siri Products' and its users' infringement can be found in Exhibit M.

167. On information and belief, Apple knew of or was willfully blind to the '536 patent and the fact that the foregoing induced acts constitute patent infringement.

168. Apple has been and is continuing to contributorily infringe the '536 patent by selling or offering to sell Siri Products, knowing them to be especially made or especially adapted for practicing the invention of the '536 patent and not a staple article or commodity of commerce suitable for substantial non-infringing use in violation of 35 U.S.C. § 271(c). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.⁸¹

⁸¹ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>;

Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.⁸² Additionally, Apple causes Siri Products to be made available through its own website.⁸³ Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.⁸⁴

169. For some claims of the '536 patent, the Siri Products are a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process. For example, the Siri Products (which includes, for example, Siri apart from other non-Siri hardware and software components) are a component of the patented method claims which recite “receiving . . . a first natural language utterance” from, for example, a user of the Siri Products. As another example, Siri is a component of the ecobee SmartThermostat with Voice

<https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/homepod/>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁸² E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

⁸³ E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁸⁴ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

Control.⁸⁵ Siri is also a component of various third-party products created by Apple's app developer community using SiriKit.⁸⁶

170. On information and belief, Apple knew and continues to know that the Siri Products are especially made or especially adapted for practicing the invention of the '536 patent. For example, Apple knew of the '536 patent at least as of the filing of the original Complaint, and Apple knew (or was willfully blind) that the Siri Products are especially made or especially adapted to infringe the claims of the '536 patent. Apple instructs and encourages app developers and third parties to use Siri in its products, despite knowing that Siri infringes the '536 patent. Apple also sells and offers for sale Siri Products on its own website. Apple also profits from third parties who sell Siri Products. Apple also provides technical support for users to use the Siri Products to infringe the '536 patent.

171. Apple knew and continues to know that the Siri Products are not a staple article or commodity of commerce suitable for substantial non-infringing use. The claims of the '536 patent recite, among other elements, receiving a first natural language utterance and a computer system including one or more physical processors to perform additional tasks to present promotional content to the user. Likewise, Siri "[e]mpower[s] users to interact with their devices through voice, intelligent suggestions, and personalized workflows."⁸⁷ At least as of the filing of the original

⁸⁵ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>.

⁸⁶ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

⁸⁷ E.g., <https://developer.apple.com/documentation/sirikit/>; see <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

Complaint, Apple knew of the '536 patent and that the Siri Products were not a staple article or commodity of commerce suitable for non-infringing use.

172. VoiceBox and its predecessors-in-interest have satisfied the marking requirements of 35 U.S.C. § 287 with respect to the '536 patent to the extent that any patented article is subject to a duty to mark.

173. Apple's infringement has been, and continues to be knowing, intentional, and willful. On information and belief, Apple has known of the existence of the '536 patent, and its acts of infringement have been willful and in disregard for the '536 patent, without any reasonable basis for believing that it had a right to engage in the infringing conduct.

174. Apple's acts of infringement of the '536 patent have caused and will continue to cause VoiceBox damages for which VoiceBox is entitled to compensation pursuant to 35 U.S.C. § 284.

175. This case is exceptional and, therefore, VoiceBox is entitled to an award of attorney's fees pursuant to 35 U.S.C. § 285.

COUNT 7: INFRINGEMENT OF THE '097 PATENT

176. VoiceBox realleges and incorporates the allegations of the preceding paragraphs of this complaint as though fully stated herein.

177. Apple, on its own or by conduct attributable to Apple, has and continues to infringe the '097 patent by making, using, selling, offering for sale, and/or importing into the United States, Siri Products, which embodies or uses the inventions of the '097 patent in violation of 35 U.S.C. § 271(a). Exemplary evidence and an exemplary chart mapping an exemplary claim (claim 1) to Siri Products can be found in **Exhibit N**. VoiceBox anticipates identifying additional asserted claims in accordance with the case schedule and its discovery obligations.

178. On February 23, 2016, the '097 patent issued in the '176 patent family claiming priority to the '176 patent. Apple has actual notice that the Siri Products and its users infringe the '097 patent at least as of the date of the filing of the original Complaint. Since no later than that date, Apple has known or been willfully blind to the facts that the Siri Products and its users infringe the '097 patent, that Apple directly infringes the '097 patent, and that its actions would induce and contribute to infringement by Siri Products' users. On information and belief, Apple was at least willfully blind to the facts that the Siri Products and its users infringe the '097 patent, that Apple directly infringes the '097 patent, and that its actions would induce and contribute to infringement by Siri Products' users because: (1) Apple subjectively believed that there was a high probability these facts existed because Apple was served with the original Complaint and made aware of both the '097 patent and Apple's and the Siri Products' users infringement, and (2) Apple took deliberate action to avoid learning of these facts or attempt to avoid infringement upon learning of its and its users' infringement of the '097 patent.

179. Apple has been and is inducing infringement of the '097 patent by actively and knowingly inducing others to make, use, sell, offer for sale, or import Siri Products that include Siri and embody or use the inventions claimed in the '097 patent in violation of 35 U.S.C. § 271(b). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.⁸⁸ Apple also offers SiriKit to its app developer community to design

⁸⁸ *E.g.*, <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>;

applications and third-party products to embody and use Siri in an infringing manner.⁸⁹ Additionally, Apple causes Siri Products to be made available through its own website.⁹⁰ Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.⁹¹

180. Apple instructs and encourages users of the Siri Products to infringe the '097 patent. For example, Apple instructs and encourages users to operate the Siri Products such that the products perform a method for providing natural language processing based on advertisements. The method is implemented on a computer system having one or more physical processors executing computer program instructions which, when executed, perform the method.

181. The computer system provides an advertisement associated with a product or service for presentation to a user. The computer system receives a natural language utterance of the user. The computer system interprets the natural language utterance based on the advertisement and, responsive to the existence of a pronoun in the natural language utterance,

<https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁸⁹ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

⁹⁰ E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁹¹ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

determines whether the pronoun refers to one or more of the product or service or a provider of the product or service.

182. Additional facts showing the Siri Products' and its users' infringement can be found in Exhibit N.

183. On information and belief, Apple knew of or was willfully blind to the '097 patent and the fact that the foregoing induced acts constitute patent infringement.

184. Apple has been and is continuing to contributorily infringe the '097 patent by selling or offering to sell Siri Products, knowing them to be especially made or especially adapted for practicing the invention of the '097 patent and not a staple article or commodity of commerce suitable for substantial non-infringing use in violation of 35 U.S.C. § 271(c). On information and belief, Apple writes software for and designs Siri Products, including Siri for third-party devices such as the ecobee SmartThermostat with Voice Control, to operate in an infringing manner.⁹² Apple also offers SiriKit to its app developer community to design applications and third-party products to embody and use Siri in an infringing manner.⁹³ Additionally, Apple causes Siri

⁹² E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGfFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>; <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁹³ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

Products to be made available through its own website.⁹⁴ Apple also profits from third parties who sell Siri Products. Apple instructs users to use Siri Products in an infringing manner and provides technical support for such use, including on its website.⁹⁵

185. For some claims of the '097 patent, the Siri Products are a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process. For example, the Siri Products (which includes, for example, Siri apart from other non-Siri hardware and software components) are a component of the patented method claims which recite “receiving . . . a natural language utterance of the user” from, for example, a user of the Siri Products. As another example, Siri is a component of the ecobee SmartThermostat with Voice Control.⁹⁶ Siri is also a component of various third-party products created by Apple’s app developer community using SiriKit.⁹⁷

186. On information and belief, Apple knew and continues to know that the Siri Products are especially made or especially adapted for practicing the invention of the '097 patent. For example, Apple knew of the '097 patent at least as of the filing of the original Complaint, and

⁹⁴ E.g., <https://www.apple.com/shop/buy-iphone>; <https://www.apple.com/shop/buy-ipad>; [iPod touch - Apple \(archive.org\)](#); <https://www.apple.com/shop/buy-mac>; <https://www.apple.com/airpods/>; <https://www.apple.com/apple-tv-4k/>; <https://www.apple.com/shop/buy-watch>; <https://www.apple.com/homepod/>; <https://www.apple.com/shop/buy-vision>; <https://www.apple.com/siri/>; <https://developer.apple.com/videos/play/wwdc2024/10133/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/siri/>.

⁹⁵ E.g., <https://support.apple.com/en-us/105020>; <https://support.apple.com/en-us/106932>.

⁹⁶ E.g., <https://www.youtube.com/live/0TD96VTf0Xs?si=l7dTf-8T0DYGFia7&t=4673>; <https://www.ecobee.com/en-us/newsroom/press-releases/ecobee-smart-thermostat-apple-siri/>.

⁹⁷ E.g., <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/sirikit/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

Apple knew (or was willfully blind) that the Siri Products are especially made or especially adapted to infringe the claims of the '097 patent. Apple instructs and encourages app developers and third parties to use Siri in its products, despite knowing that Siri infringes the '097 patent. Apple also sells and offers for sale Siri Products on its own website. Apple also profits from third parties who sell Siri Products. Apple also provides technical support for users to use the Siri Products to infringe the '097 patent.

187. Apple knew and continues to know that the Siri Products are not a staple article or commodity of commerce suitable for substantial non-infringing use. The claims of the '097 patent recite, among other elements, a natural language utterance of the user and a computer system having one or more physical processors to perform additional tasks to determine reference to one or more products or services or provider of products or services. Likewise, Siri “[e]mpower[s] users to interact with their devices through voice, intelligent suggestions, and personalized workflows.”⁹⁸ At least as earlier as the filing of the original Complaint, Apple knew of the '097 patent and that the Siri Products were not a staple article or commodity of commerce suitable for non-infringing use.

188. VoiceBox and its predecessors-in-interest have satisfied the marking requirements of 35 U.S.C. § 287 with respect to the '097 patent to the extent that any patented article is subject to a duty to mark.

189. Apple’s infringement has been, and continues to be knowing, intentional, and willful. On information and belief, Apple has known of the existence of the '097 patent, and its

⁹⁸ E.g., <https://developer.apple.com/documentation/sirikit/>; see <https://developer.apple.com/siri/>; <https://developer.apple.com/documentation/AppIntents/Integrating-actions-with-siri-and-apple-intelligence>.

acts of infringement have been willful and in disregard for the '097 patent, without any reasonable basis for believing that it had a right to engage in the infringing conduct.

190. Apple's acts of infringement of the '097 patent have caused and will continue to cause VoiceBox damages for which VoiceBox is entitled to compensation pursuant to 35 U.S.C. § 284.

191. This case is exceptional and, therefore, VoiceBox is entitled to an award of attorney's fees pursuant to 35 U.S.C. § 285.

DEMAND FOR A JURY TRIAL

VoiceBox demands a jury trial on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, VoiceBox, respectfully requests the Court to enter judgment in favor of VoiceBox and against Apple as to all claims asserted herein as follows:

- a. Judgment that Apple has infringed and is infringing, directly and indirectly, the '681 patent, the '765 patent, the '249 patent, the '341 patent, the '176 patent, the '536 patent, and the '097 patent;
- b. Judgment that Apple accounts for and pay damages adequate to compensate VoiceBox for Apple's infringement of the VoiceBox Patents, including for any infringing acts not presented at trial and pre-judgment and post-judgment interest and costs, pursuant to 35 U.S.C. § 284;
- c. Judgment that Apple has willfully infringed the '681 patent, the '765 patent, the '249 patent, the '341 patent, the '176 patent, the '536 patent, and the '097 patent and an increase in the damages award to VoiceBox of up to three times the amount assessed, pursuant to 35 U.S.C. § 284;

- d. That this Court declare this case exceptional and award VoiceBox reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285;
- e. That VoiceBox be granted pre-judgment and post-judgment interest on the damages;
- f. An award of costs associated with bringing this action; and
- g. That VoiceBox be granted such other and further relief as the Court may deem just and proper under the circumstances.

JURY DEMAND

Pursuant to Federal Rules of Civil Procedure Rule 38, VoiceBox demands a trial by jury on all issues so triable.

Dated: March 10, 2025

Respectfully submitted,

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